

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Ninety-Third Legislature

OF THE

STATE OF MAINE

1947

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, April 8, 1947.

The House met according to adjournment, and was called to order by the Speaker.

Prayer by the Rev. James L. Hayes of Belfast.

Journal of yesterday read and approved.

Mr. Marsans of Monmouth, was granted unanimous consent to address the House.

Mr. MARSANS: Mr. Speaker, I merely wish to point out that the Northern Spies which are on the members' desks are given to us through the courtesy of one of our growers in Monmouth, Chick Brothers, and they hope that you enjoy their product. (Applause)

The SPEAKER: The Chair at this time notes in the balcony the presence of the Civics Class of Williams High School, of Oakland, accompanied by Principal Harlan Morse, a former Representative in this House, and on behalf of the members of the House, the Chair bids you welcome here this morning. (Applause)

Papers from the Senate Senate Reports of Committees Ought to Pass

Report of the Committee on Education reporting "Ought to pass" on Bill "An Act relating to Tuition for Pupils from Towns Contracting for Secondary Education" (S. P. 382) (L. D. 1095)

Report of the Committee on Inland Fisheries and Game reporting same on Bill "An Act to Extend the Open Season for Hunting Migratory Birds" (S. P. 448) (L. D. 1273)

Report of same Committee reporting same on Resolve Closing Farmer's Brook in Franklin County to Smelting" (S. P. 362) (L. D. 1031)

Came from the Senate with the Reports read and accepted and the Bills and Resolve passed to be engrossed.

In the House, Reports were read and accepted in concurrence, the Bills read twice, the Resolve read once, and tomorrow assigned.

Ought to Pass with Committee Amendment

Report of the Committee on Judiciary on Bill "An Act relating to

Issuance of Capias Execution in Divorce Cases" (S. P. 258) (L. D. 720) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, Report was read and accepted in concurrence and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

Committee Amendment "A" to S. P. 258, L. D. 720, Bill "An Act Relating to Issuance of Capias Execution in Divorce Cases."

Amend said bill by inserting in the 13th line of that part designated as "Sec. 63" thereof, after the underlined word "execution", the following underlined words: 'and such reasonable attorney's fee as the court shall order.'

Further amend said bill by adding at the end thereof a new paragraph to read as follows:

"Any person who knowingly files a false affidavit alleging default of payments of support of minor children or payments of alimony or specific sum in lieu thereof, for the purpose of obtaining a capias execution as provided in this section, shall be deemed to have committed the crime of perjury and shall be subject to prosecution and imprisonment, upon conviction, in the same manner as provided in the statutes, relating to the crime of perjury."

Committee Amendment "A" was adopted in concurrence, and tomorrow assigned for third reading of the Bill.

Orders

On motion by Mr. Atherton of Bangor, it was

ORDERED, that Mr. Webber of Bangor be excused from attendance because of illness in his family.

On motion of Mr. Judkins of Woodstock, it was

ORDERED, that Rev. Frank Kehlwetter of Bryant's Pond be invited to officiate as Chaplain of the House on Tuesday, April 15th.

On motion by Mr. Lacharite of Brunswick, it was

ORDERED, that Mr. Violette of Van Buren be excused from at-

tendance this week because of business.

House Reports of Committees Leave to Withdraw

Mr. Tabb from the Committee on Agriculture on Bill "An Act relating to Damages to Poultry by Dogs or Wild Animals" (H. P. 1368) (L. D. 990) reported leave to withdraw.

Report was read and accepted.

Ought Not to Pass

Mr. Tabb from the Committee on Agriculture reported "Ought not to pass" on Bill "An Act relating to Records of Persons Buying or Selling Dogs" (H. P. 1259) (L. D. 931)

Mr. Byron from the Committee on Inland Fisheries and Game reported same on Bill "An Act Permitting the Exhibition of Maine Wildlife at Amusement Parks" (H. P. 1383) (L. D. 1002)

Mr. Hayward from same Committee reported same on Bill "An Act relating to Guides" (H. P. 1162) (L. D. 770)

Mr. Peirce from the Committee on Judiciary reported same on Bill "An Act providing for the Transfer of Persons Arrested on Certain Capias Executions" (H. P. 1441) (L. D. 1045)

Mr. Silsby from same Committee reported same on Bill "An Act relating to Resignation of Collectors of Taxes" (H. P. 1542) (L. D. 1172)

Mr. Anderson from the Committee on Legal Affairs reported same on Bill "An Act relating to Bribery in Sports" (H. P. 666) (L. D. 462)

Same gentleman from same Committee reported same on Bill "An Act to Grant a New Charter to the city of Belfast" (H. P. 172) (L. D. 125)

Mr. Woodworth from same Committee reported same on Bill "An Act relating to Licensing of Heat Proof Insulating Organizations" (H. P. 1399) (L. D. 1016)

Mr. Adams from the Committee on Sea and Shore Fisheries reported same on Bill "An Act relating to License for the Taking of Sea Moss for Commercial Purposes" (H. P. 954) (L. D. 625) as it is covered by other legislation.

Reports were read and accepted.

Tabled

Mr. Adams from the Committee

on Sea and Shore Fisheries reported "Ought not to pass" on Bill "An Act relating to Measurement of Herring" (H. P. 1095) (L. D. 707)

(On motion by Mr. Ames of Northport, tabled pending acceptance of Committee Report)

Mr. Smart from the Committee on Temperance reported "Ought not to pass" on Bill "An Act relating to Liquor Licenses in Unorganized Territory Where No Elections are Held" (H. P. 512) (L. D. 307)

Report was read and accepted.

Tabled

Mr. Boulrier from the Committee on Ways and Bridges reported "Ought not to pass" on Bill "An Act relating to the Maine Turnpike Authority" (H. P. 1333) (L. D. 925)

(On motion by Mr. Jalbert of Lewiston, tabled pending acceptance of Committee Report)

Mr. Gallant from the Committee on Ways and Bridges reported "Ought not to pass" on Bill "An Act Crediting Certain Fees to the General Highway Fund" (H. P. 1230) (L. D. 834)

Report was read and accepted.

The SPEAKER: The Chair at this time notes in the balcony the presence of the Windham High School Class on Problems in Democracy, and on behalf of the members of this House, the Chair bids you welcome here this morning. (Applause)

First Reading of Printed Bills

Bill "An Act relating to Indebtedness of Wholesalers of Liquors" (H. P. 1673) (L. D. 1378)

Resolve in favor of the town of Baileyville (H. P. 1557) (L. D. 1379)

Resolve in favor of the town of Trenton (H. P. 1558) (L. D. 1380)

Resolve Reallocating Road Resolve Money Previously Allocated to Road in Bucksport (H. P. 1658) (L. D. 1381)

Bill was read twice, Resolves read once, and tomorrow assigned.

The SPEAKER: At this time the Chair recognizes the gentleman from Lewiston, Mr. Jalbert, and appoints him Speaker pro tempore, and requests the Assistant Sergeant-at-Arms to escort the gentleman to the rostrum.

Thereupon, Mr. Jalbert was escorted to the rostrum, where he assumed the Chair, amid the applause of the House, and Speaker Ward retired.

**Passed to be Engrossed
Tabled**

Bill "An Act relating to Veterans's Permit to Hunt and Fish Free" (S. P. 178) (L. D. 523)

(Was reported by the Committee on Bills in the Third Reading as truly and strictly engrossed, and on motion by Mr. Cousins of Fort Kent, tabled pending third reading)

Bill "An Act to Authorize the Transfer by the Spurwink Congregational Church and the Acceptance by the Inhabitants of the town of Cape Elizabeth of the Spurwink Church and Property" (H. P. 846) (L. D. 502)

Bill "An Act relating to Police Department Pensions of the city of Bangor" (H. P. 1648) (L. D. 1339)

Bill "An Act relating to Pensions to Employees of the city of Bangor" (H. P. 1649) (L. D. 1340)

Bill "An Act relating to Term of Office of Police Department of the city of Bangor" (H. P. 1650) (L. D. 1341)

Bill "An Act relating to Superintendence of Schools Through Union Towns" (H. P. 1666) (L. D. 1371)

Bill "An Act Providing for Giving Complimentary Hunting and Fishing Licenses by Governor to Congressional Medal of Honor Holders" (H. P. 1667) (L. D. 1372)

Bill "An Act Creating the Bridgton Utilities District" (H. P. 1669) (L. D. 1373)

Bill "An Act relating to the Digging of Clams in Southwest Harbor" (H. P. 1670) (L. D. 1374)

Bill "An Act relating to the Digging of Clams in Lamoine" (H. P. 1671) (L. D. 1375)

Bill "An Act Regulating Fishing for Smelts in Tidewaters of East Machias River" (H. P. 1672) (L. D. 1376)

Resolve Authorizing the State of Maine to Convey Certain Land in Presque Isle (H. P. 1551) (L. D. 1181)

Resolve Closing Lily Lake in Washington County to Ice Fishing (H. P. 1668) (L. D. 1377)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolves read

the second time, all passed to be engrossed and sent to the Senate.

Amended Bills

Bill "An Act to Create the Augusta Parking District" (S. P. 203) (L. D. 594)

Bill "An Act relating to Refunds of Gasoline Tax" (S. P. 245) (L. D. 819)

Bill "An Act relating to the Supreme Court of Probate" (S. P. 383) (L. D. 1096)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended and sent to the Senate.

Tabled

Bill "An Act Providing for Fire Escapes with the Approval thereof of the Insurance Commissioner or Fire Inspector" (H. P. 444) (L. D. 262)

(Was reported by the Committee on Bills in the Third Reading, read the third time, and on motion by Mr. Fowler of Augusta, tabled pending passage to be engrossed.)

Bill "An Act relating to Duties of Insurance Commissioner in Directing Defective Chimneys and Other Dangerous Conditions to be Removed or Repaired" (H. P. 445) (L. D. 263)

Bill "An Act relating to Inspection of Fire Escapes" (H. P. 446) (L. D. 264)

Bill "An Act relating to Membership of Maine State Office Building Authority" (H. P. 621) (L. D. 382)

Bill "An Act relating to Town, City and Village By-Laws and Ordinances relating to Buildings and Structures" (H. P. 1188) (L. D. 778)

Bill "An Act to Amend the Charter of the Ogunquit Village Corporation" (H. P. 1286) (L. D. 941)

Bill "An Act to Incorporate the Town of Bridgton School District" (H. P. 1443) (L. D. 1055)

Bill "An Act relating to Tenure of Office of State Liquor Commission" (H. P. 1568) (L. D. 1197)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended and sent to the Senate.

At this point, Speaker Ward assumed the Chair.

The SPEAKER: As a remembrance of this occasion, Mr. Jalbert,

the Chair takes pleasure in presenting you with this gavel.

Thereupon, the gentleman from Lewiston, Mr. Jalbert, was escorted to his seat, amid the applause of the House.

Passed to be Enacted Emergency Measure

An Act relating to Protection of Alewives in town of Orland (H. P. 1321) (L. D. 918)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 121 voted in favor of same and two against, and accordingly, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

On motion by Miss Longstaff of Crystal, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

Passed to be Enacted

An Act relating to Salary of Registrar of Deeds in Knox County (S. P. 112) (L. D. 230)

An Act relating to the Salaries of the Clerks in the County Offices of Knox County (S. P. 114) (L. D. 232)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Tabled

An Act Increasing the Salaries of the County Attorney and Assistant County Attorney of Cumberland County (S. P. 134) (L. D. 280)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. Finnegan, tabled pending passage to be enacted.

Tabled

An Act relating to Salary of Governor (S. P. 149) (L. D. 343)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. Finnegan of Bangor, tabled pending passage to be enacted.

Tabled

An Act relating to Unredeemed

Tickets on Pari Mutuel Pools (S. P. 212) (L. D. 575)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. Fitch of Sebago, tabled pending passage to be enacted.

An Act relating to Taxation of Various Corporations (S. P. 244) (L. D. 664)

An Act Amending the Charter of the city of Lewiston (S. P. 318) (L. D. 874)

An Act to Promote the Topographic Mapping of Maine in Co-operation with the United States Geological Survey (S. P. 359) (L. D. 1028)

An Act relating to Restoration of Membership in Indian Tribes (S. P. 360) (L. D. 1030)

An Act relating to Membership in Indian Tribes (S. P. 361) (L. D. 1029)

An Act to Provide for the Creation of a Liquor Research Commission (S. P. 363) (L. D. 1032)

An Act Providing for a State Advisory Council on Personnel (S. P. 364) (L. D. 1033)

An Act relating to Time for Registration of Voters (S. P. 366) (L. D. 1034)

An Act relating to Compensation of Registers of Probate in Foreign Estates (S. P. 385) (L. D. 1098)

An Act Forbidding Impersonation of Liquor Inspectors (S. P. 400) (L. D. 1149)

An Act relating to Assessment of Costs for Construction of Drains (S. P. 412) (L. D. 1160)

An Act to Permit Counties to Contribute for Advertising Resources (S. P. 431) (L. D. 1219)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Tabled and Assigned

An Act to Clarify the Military Law (S. P. 440) (L. D. 1233)

Mr. MILLS: Mr. Speaker, in relation to Item 19, I wish particularly to call the attention of the Military Affairs Committee to the fact that an amendment has been cut for that bill, reproduced under filing number 229. It is my intention to offer that amendment later in today's session. Mr. Speaker, I move that An Act to Clarify the Military Law (S. P. 440) (L. D. 1233) lie upon the table and be

specially assigned later in today's session.

The motion prevailed and the Bill was so tabled and so assigned.

Tabled

An Act relating to Salary of State Auditor (H. P. 22) (L. D. 12)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. Finnegan of Bangor, tabled pending passage to be enacted)

Tabled

An Act to Increase the Clerk Hire in the Office of Recorder of the Portland Municipal Court (H. P. 178) (L. D. 126)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. Haskell of Portland, tabled pending passage to be enacted)

An Act to Increase the Salary of the Register of Deeds in Cumberland County (H. P. 179) (L. D. 127)

An Act to Increase the Salary of the County Commissioners for Cumberland County (H. P. 181) (L. D. 129)

An Act relating to Salary of Clerk of Courts and Deputy Clerk of Courts of Cumberland County (H. P. 188) (L. D. 152)

An Act to Increase the Salary of the County Treasurer and the Deputy Treasurer of Cumberland County (H. P. 264) (L. D. 181)

An Act relating to the Amount to be Paid for Clerk Hire in the office of Register of Probate in the county of Cumberland (H. P. 265) (L. D. 182)

An Act relating to Clerk Hire in Cumberland County Clerk of Courts Office (H. P. 266) (L. D. 183)

An Act relating to Salary of Clerks in the office of Clerk of Courts in Kennebec County (H. P. 267) (L. D. 184)

An Act relating to Bank Accounts and Deposits of Town Treasurers (H. P. 273) (L. D. 185)

An Act to Increase the Salary of the Clerk of Courts in Penobscot County (H. P. 348) (L. D. 217)

An Act Increasing the Salaries of the Judge and Clerk and Clerk Hire of the Bangor Municipal Court (H. P. 510) (L. D. 331)

Were reported by the Committee on Bills in the Third Reading as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Tabled

An Act relating to Weights and Measures (H. P. 582) (L. D. 405)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. Mills of Farmington, tabled pending passage to be enacted)

An Act relating to Registration and Licensing of Dogs (H. P. 583) (L. D. 406)

An Act relating to Relief of Puppers in Deorganized Towns (H. P. 887) (L. D. 499)

An Act relating to the State School for Boys (H. P. 1174) (L. D. 848)

An Act to Increase the Salary of the Sheriff of Washington County (H. P. 1212) (L. D. 829)

An Act relating to the Apportionment of Estate Taxes (H. P. 1353) (L. D. 954)

An Act relating to Workshops and Factories Found Unsafe, Insanitary, or Injurious to Health (H. P. 1397) (L. D. 1014)

An Act relating to Obstruction of Public Ways (H. P. 1503) (L. D. 1128)

An Act relating to Licenses for Lease of Real Estate by Probate Courts (H. P. 1504) (L. D. 1129)

An Act relating to Notice in Trust Estates to be Sold (H. P. 1508) (L. D. 1133)

An Act relating to Expenses of Town and City Clerks (H. P. 1525) (L. D. 1118)

An Act relating to Qualifications of the Recorder of the Gardiner Municipal Court (H. P. 1585) (L. D. 1238)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Tabled

An Act to Incorporate the Fort Kent School District (H. P. 1612) (L. D. 1278)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. Mills of Farmington, tabled pending passage to be enacted)

Tabled

An Act to Incorporate the Farmingdale School District (H. P. 1617) (L. D. 1290)

(Was reported by the Committee

on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. Mills of Farmington, tabled pending passage to be enacted)

Tabled

An Act to Incorporate the Chelsea School District (H. P. 1618) (L. D. 1291)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. Mills of Farmington, tabled pending passage to be enacted)

An Act relating to the Brewer Water District (H. P. 1641) (L. D. 1325)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Tabled

An Act relating to Tuition for Pupils from Towns Not Maintaining a Standard Secondary School (H. P. 1651) (L. D. 1349)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. Brown of Unity, tabled pending passage to be enacted)

Tabled

An Act relating to the Fort Fairfield Municipal Court (H. P. 1653) (L. D. 1348)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. Dorsey of Fort Fairfield, tabled pending passage to be enacted)

An Act relating to State Sealer of Weights and Measures (H. P. 1655) (L. D. 1350)

An Act relating to Fishing for Salmon in Pleasant River (H. P. 1656) (L. D. 1351)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Finally Passed

Tabled

Resolve Directing Commissioner of Sea and Shore Fisheries to Make Study of Life and Habits of Seals (S. P. 118) (L. D. 355)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion

by Mr. Brown of Unity, tabled pending final passage)

Resolve to Create an Interim Committee to Study the Indian Problem (S. P. 444) (L. D. 1245)

Resolve Granting a Pension to James L. Walker of Oxford (S. P. 481) (L. D. 1343)

Resolve Granting a Pension to Eugene H. Stevens of Norway (S. P. 482) (L. D. 1344)

Resolve Authorizing the State Tax Assessor to Convey Certain Land in Aroostook County to Maxime F. Albert, of Frenchville (H. P. 38) (L. D. 32)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Land in Aroostook County to Maxime J. Michaud, of St. Agatha (H. P. 134) (L. D. 90)

Resolve Authorizing the Forest Commissioner to Convey the State's Interest in Certain Lands (H. P. 955) (L. D. 558)

Resolve in favor of Robert E. Cook of Portland (H. P. 1157) (L. D. 767)

Resolve, Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Aroostook County to Ovila Picard, of Guerette, (P. O. Stockholm) (H. P. 1322) (L. D. 919)

Resolve relating to Certain Equipment Issued to Officers of Maine State Guard (H. P. 1356) (L. D. 957)

Resolve Granting a Pension to Dorothy L. Springer, of Lisbon Falls (H. P. 1647) (L. D. 1338)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, finally passed, signed by the Speaker and sent to the Senate.

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair lays before the House the first specially assigned matter, Bill "An Act to Clarify the Military Law" (S. P. 440) (L. D. 1233), tabled earlier in today's session by the gentleman from Farmington, Mr. Mills, pending passage to be enacted; and the Chair recognizes that gentleman.

On motion by Mr. Mills, under suspension of the rules, the House voted to reconsider its action of April 1st whereby this bill was passed to be engrossed.

Mr. MILLS: Mr. Speaker, I offer House Amendment "A" and move

its adoption, and wish to state that this amendment is one designed to correct the situation in regard to the Governor's Staff. It seems that among his aides he is entitled to Colonels in the Army, men with the rank of Colonel, whereas in the Navy he is entitled to men on his staff with rank only of Lieutenant Commander, which is two notches below the rank the Army is entitled to have, and this is made at the request of the Administration, and it is hoped that the Navy will be placed on a par with the Army by the adoption of this amendment, so I offer House Amendment "A".

The SPEAKER: The gentleman from Farmington, Mr. Mills, offers House Amendment "A" and moves its adoption. The Clerk will read the amendment.

House Amendment "A" to S. P. 440, L. D. 1233, Bill "An Act to Clarify the Military Law."

Amend said Bill by inserting after the enacting clause a new section numbered Section 1 to read as follows:

'Sec. 1. R. S., c. 12, § 9, amended.

The 1st sentence of section 9 of chapter 12 of the revised statutes is hereby amended to read as follows:

The staff of the commander-in-chief shall consist of the adjutant-general, who shall be ex officio chief of staff, quartermaster general and paymaster - general with rank of brigadier - general; the senior officer on duty with each of the staff departments; and such aides-de-camp not to exceed 5 in number, one of whom may be a naval aid with rank of lieutenant - commander captain, as may be appointed by the governor.'

Further amend said Bill by correctly renumbering the remaining sections.

House Amendment "A" was adopted, and the Bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The SPEAKER: Under the House Rules, pursuant to House Order, providing that all matters tabled prior to the preceding Monday and unassigned be taken from the table on Tuesday of each week, the Speaker will lay before the House the Unassigned Matters 1 to 46 inclusive, the first tabled and unassigned matter being House Report "Ought to pass" of the Committee on Education on "Resolve, Relating to

Teachers' pensions for Certain Persons" (H. P. 237) (L. D. 166) tabled on February 7th by the gentleman from Presque Isle, Mr. Brewer, pending acceptance of the Committee Report; and the Chair recognizes that gentleman.

Mr. BREWER: Mr. Speaker, I move you, Sir, that this resolve be retabled.

The SPEAKER: The Chair will state that under the Order, the gentleman must retable it to a date not exceeding six calendar days, which would be Friday of this week at the latest.

Thereupon, on motion by Mr. Brewer, the matter was tabled and specially assigned for Friday, April 11th.

The SPEAKER: The Chair lays before the House the second tabled and unassigned matter, Bill "An Act Relating to Rental for the Western Somerset Municipal Court" (H. P. 651) (L. D. 450) tabled on February 27th by the gentleman from Carantunk Plantation, pending third reading; and the Chair recognizes that gentleman.

Mr. STERLING: Mr. Speaker, I move the indefinite postponement of this bill, and in support of my motion I will read a letter from the County Commissioners of Somerset County.

"To the Members of the Somerset County Delegation of the 93rd Legislature of 1947:

Legislative Document No. 450, H. P. 651 An Act Relating to the Western Somerset Municipal Court

This Act was presented by Mr. Lessard of Skowhegan and asks that Section 6 of Chapter 331 of the private and special laws of 1909 be amended so that the County of Somerset would have to pay the sum of \$350 annually to each of the towns of Skowhegan, Fairfield, Madison, and Bingham, for rental of rooms used by the Western Somerset Municipal Court. This would amount to \$1400 annually, which the County of Somerset would have to pay, for which it has no appropriation.

The County Commissioners of Somerset County have never had any complaint from the towns of the arrangement as stated in the original act as passed in 1909, and the County Commissioners acting for the County of Somerset object to this Act being passed and ask

that you as one of the Representatives of said Somerset County use your influence to see that this Act does not become a law.

(Signed)

Henry Crowell
Allison P. Howes
George B. Walker

County Commissioners of Somerset County

The SPEAKER: The gentleman from Caratunk Plantation, Mr. Sterling, moves the indefinite postponement of this bill. Is this the pleasure of the House?

The motion prevailed and the bill was indefinitely postponed.

The SPEAKER: The Chair lays before the House the third tabled and unassigned matter, House Report "Ought not to pass as covered by other legislation", of the Committee on Temperance on Bill "An Act Relating to Possession of Liquor in an Open Bottle" (H. P. 1226) (L. D. 758) tabled on February 28th by the late gentleman from Hodgdon, Mr. Corson, pending acceptance of report.

Thereupon, the report of the committee was accepted.

The SPEAKER: The Chair lays before the House the fourth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act Relating to the Sanitary Water Board" (H. P. 443) (L. D. 241) tabled on March 5th by the gentleman from Augusta, Mr. Peirce, pending acceptance of report; and the Chair recognizes that gentleman.

On motion by Mr. Peirce, the bill was retabled and specially assigned for Friday, April 11th.

The SPEAKER: The Chair lays before the House the fifth tabled and unassigned matter, House Majority Report "Ought not to pass" and House Minority Report "Ought to pass" of the Committee on Motor Vehicles on Bill "An Act Relating to Operator's Licenses" (H. P. 934) (L. D. 551) tabled on March 6th by the gentleman from Westbrook, Mr. Smith, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. SMITH: Mr. Speaker, As one of the signers of the minority report is not here at this time, I move that this matter be retabled and specially assigned for Friday, April 11th.

The motion prevailed, and the bill was so tabled and so assigned.

The SPEAKER: The Chair lays before the House the sixth tabled and unassigned matter, House Report "Ought to pass" of the Committee on Taxation on Bill "An Act Relating to Taxation of Savings Banks" (H. P. 692) (L. D. 467) tabled on March 13th by the gentleman from Cape Elizabeth, Mr. Chase, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. CHASE: Mr. Speaker, I find that I am annoying so many people that I should like to get rid of a few in order to have more time to devote to the remainder. In order that this bill may move on toward its destiny, I will move the acceptance of the committee report, but I should like to point out to the House that the bill ought not to pass at this time because the subject matter is involved with other legislation. I have collected some information regarding the taxation of Savings Banks by this State and since this bill involves a departure from the policy which has been in effect for about seventy years, I think the House should have a brief summary of that information.

Savings Banks were first taxed on their franchise in 1872, and a few years later the individual deposits in Savings Banks were made tax exempt, presumably because the bank paid the tax, and they have been tax exempt ever since. In 1885 the Savings Banks paid a tax of \$200,000 to the State on \$35,000,000 of deposits. In 1905, when the total receipts of the State of Maine were about \$2,600,000 a year, the Savings Banks paid a tax of over \$400,000 a year on less than \$80,000,000 of deposits. In 1915 the tax was \$485,000 on \$97,000,000 of deposits, and since that time, due in part to a reduction in rate of tax, we have had a decrease. In 1935, on \$129,000,000 of deposits, the Savings Banks paid a tax of \$230,000, and in 1945, on practically double the deposits, they paid a tax of approximately half as much.

This bill changes the whole basis of taxation of Savings Banks. Heretofore, the rate has been five dollars a thousand, with certain allowances made for exemptions, notably Maine real estate mortgages and a partial exemption on certain Maine securities. This bill will put the incidence of the tax

on deposits and completely abandon the whole policy of exemptions, and the rate would be sixty cents a thousand on the deposits. Now the bill has the advantage of simplicity, to be sure, and for that reason it was advocated before the committee by the State Tax Assessor, but the effect of it would be, and I think the House should know,—the effect of it would be to freeze the tax practically at the lowest point it ever reached, when the deposits in the Savings Banks are the largest that they ever were, I believe, in the entire history of the State.

The reason that the bill ought not to pass now is that it is involved in the income tax bill which is before the Legislature. The income tax bill which is being considered would entirely eliminate the franchise tax on Savings Banks, and, for that reason, would be inconsistent with this bill which assesses them.

The income tax bill that is now before us would repeal the law, which makes savings deposits tax exempt as to principle and substitute a law which would make them subject to the income tax.

Now there are 400,000 depositors in the Maine Savings Banks, all drawing interest, and of that number it may be reasonable to assume that fifty to one hundred thousand would be subject to a State income tax, if passed. If that were the case, every one of these depositors would have to check with his bank every year to see what the accrued income was on his savings deposit, upon which he would have to pay an income tax. The burden of that information upon the banks would be tremendous, and it is readily possible to achieve the same results and save an infinite amount of work for the depositor, for the Savings Banks and for the State, if we do pass an income tax law, to exempt the interest on those deposits from that income tax but to tax the banks an amount roughly equivalent to what would be realized by taxing this horde of depositors as income. I believe the House should have that information regarding the bill, and my only opposition to the bill is that it ought not to pass until these other matters are disposed of.

The **SPEAKER**: The Chair recognizes the gentleman from Bangor, Mr. Finnegan.

Mr. FINNEGAN: Mr. Speaker and Members of the House: I would like to voice my opposition to the passage of this bill. I will say that my reasons are perhaps altogether different than the ones suggested by the previous speaker, the gentleman from Cape Elizabeth, Mr. Chase. He has covered much of the matter that I felt was necessary to present to you, that is the effect of the present tax law on the income of the State.

To give you the real figures on this, I got this from the Tax Commissioner's Office: In 1935 the total deposits were \$120,000,000 and they paid a tax of \$230,000. In 1945, on \$190,000,000, they paid \$125,000. In 1946, on \$213,000,000 they paid a tax of \$111,718. That part in itself is of importance; but I would like to summarize the reason that the proponents of this bill gave for this piece of legislation.

Now the committee before which this bill was heard, the Committee on Taxation, they will recall the two reasons which were given. One was the simplification of figuring the tax, abandoning the present formula, which is more or less complicated and does take into consideration exemptions for government bonds and other municipal mortgages, or whatever they might have. The other reason was the fact that the chief proponent of this bill felt that he was circumscribed in his investment field by taking on other securities than government bonds. To quote what he said to the committee—and some of them are here, I am sure—the words, as I recall them, were: "If I wished to buy an underlying gilt-edged railroad bond yielding two and a half per cent, I cannot buy that now because I have to pay a five-dollar tax, so when I have paid my five-dollar tax my two and a half per cent yield becomes a two per cent yield." That was his frustration, and that was the reason he was opposing this bill. I would like to sketch to you as briefly as I can the effect of that type of financing as regards savings banks.

At the present time we have an abnormally low interest market. Money is as cheap as it has ever been since anyone can recall. I have taken one of those gilt-edged underlying two and a half per cent railroad bonds and reduced it to what might happen if we had a more normal market where the

yield might be three per cent, four per cent or four and a half per cent.

I think we can all recall within the last ten years where those bonds with very much higher coupon rate than those now carrying were selling in the forties or fifties, but the yield was no object in those days; it was a case of getting the money by some depositor who wanted his cash.

Now an A-1 Atchison, Topeka & Santa Fe Railroad Bond, a four per cent bond, due in 1995 on yesterday's market, sold to yield 2.75 per cent. That carried a price on a one thousand dollar bond of \$1325. In other words, there was a premium of \$325 on that bond. If that bond should sell on a four per cent basis, you do not need any mathematics on that, because it would have to sell for par. That would be a shrinkage in principal of \$325. Now I am not predicting that we are going to have a four per cent money market in the near future, but neither have I any assurance that money sometime in the near future will not reach that level.

Now take one of the more recent financings, an American Tel. & Tel. gilt-edged underlying bond, on yesterday's market it sold for \$1013 to yield \$2.65. On a three and a half per cent market it would sell for \$849. On a four per cent market it would sell for \$762, or a shrinkage of \$238.

Now you do not need to be a mental giant to contemplate what would happen in saving that five-dollar tax if you had to meet that price for the bond in liquidation to pay savings depositors.

There is a place for those bonds unquestionably in the large insurance places where they can sit through, or other cases where they are not called upon to pay a depositor on demand the money. But if it became necessary to liquidate these bonds in a four per cent money market to pay the depositor his one thousand dollars, that is what might happen.

That is the picture of this frustrated investment counselor who is handicapped because he cannot buy one of those bonds because he has to pay five dollars a year. Now if that is the price of the insurance, I submit to you it is fairly cheap.

The matter of the administration of this tax, that would involve the

services of a clerk five or six weeks twice a year. I say that the services of that clerk might be well employed in that purpose.

This is labelled a tax measure, but actually we are talking now about what opens up the possibility of an investment.

Now to get back to it as a tax measure, I would like to give you a few figures of what would have happened if this bill had been in effect during the years of savings deposits which we have just been talking about.

If this bill was in effect in 1935, the total deposits in that year were \$120,000,000 and the tax at six per cent would have been \$72,000. The amount actually paid that year was \$230,000. In 1944, on \$163,000,000 of deposits at six per cent the tax would have been \$98,000. The amount actually paid was \$123,000. In 1945 on \$190,000,000 of deposits, the tax at six per cent would have been \$114,000. The amount actually paid was \$125,000. And this, mind you, is when these governments have been substituted for all of these other high coupon bonds that have been called and the only investments available were government securities that could be bought with safety for savings banks. I am distinguishing between savings banks and insurance companies or some other endowed institutions where they can sit through and watch their bonds mature. It may not be the privilege of the savings banks to do that; they may have to liquidate in times of distress. Anyone who has been through that in the last ten years does not need any briefing from me as to what would happen. So much for that.

From the standpoint of a tax measure, it is inadequate, as Mr. Chase has just said. There is no reason for freezing deposits at an all-time high or an all-time low tax return. There is an opportunity for invading the investment field, and I am basing this on my experience as the trustee of a savings bank, one of the larger ones, over a period of almost twenty years. I say there are too many hazards in connection with that to warrant. The return will only be one-quarter of one per cent, at the most one-half per cent. The difference in return is so meager between these high-grade bonds that are eligible to Maine Savings Banks and those

bonds I mentioned to you are eligible to Maine Savings Banks.

There are others here: Chesapeake & Ohio, General 4½s of 1992, underlying gilt-edged railroad bonds yielding 2.79 per cent, which sold yesterday at \$1477.50. If that bond was to sell at its yield of four and a half percent it would sell at par. It is a question of time on this money market. I do not know and Mr. Chase does not seem to know when that trend will be reversed. If it is not reversed, some of your institutions will be hard-pressed for a considerable time to provide funds for their necessities. That is what is plaguing us today in all of these institutions: the income has been halved because these desirable bonds, these high-grade bonds have been called and in their place have been substituted these long-term, low interest coupon bonds.

So, since the bill is entirely inadequate as a tax measure, and, it seems to me, unsound as an investment measure, I see no excuse for even considering the matter. So, if my premise is correct—and if it is not in order I would like to be informed—I would like to move that this whole matter be indefinitely postponed.

The **SPEAKER**: The Chair recognizes the gentleman from Wilton, Mr. Morison.

Mr. **MORISON**: Mr. Speaker and Members of the House: I rise to speak as a member of the Taxation Committee which heard this bill in open hearing and which has brought in a unanimous report, "Ought to pass."

This legislation was sponsored by the Savings Bank Association of Maine, I believe in perfect honesty and sincerity. It would simplify not only the work of the tax assessor of the State but also the various banks in making up their reports.

There are just one or two things I would like to call to the attention of the members of the House. First, it is true that there is an income tax measure before the Legislature. No one knows whether or not that will pass. But as to the work involved by depositors requiring from the various banks information as to the amount of income, interest or dividends accrued on their savings accounts, I cannot see that it will make any difference, because we have that problem now: they all have to obtain that information for

their federal income tax returns. The income information would be just the same for the State income tax return if that should be passed.

As to the basic principle of this law, it does not change the investment laws governing savings banks. The laws governing investments that may be made by savings banks are very stringent and they have stood for a long time and cover the field very thoroughly. This bill would not change that law in the least. Savings banks would still be governed by the present investment laws, and I have confidence enough in the Savings banks and their management to believe that they would follow the present investment laws which are enforced by the State banking department. I hope that the unanimous report of the committee "Ought to pass" will prevail.

The **SPEAKER**: The Chair recognizes the gentleman from Bangor, Mr. Wight.

Mr. **WIGHT**: Mr. Speaker and Members of the House: It is true that the Savings Bank Association had a meeting and they endorsed this bill, but I believe that was not a unanimous vote. It seems to me that the primary consideration at this time is to keep these mutual savings banks absolutely sound. In private, some of the bankers will tell us that if this bill is passed it will create a situation whereby they can sell their governments, gilt-edged securities, and reinvest those bonds in corporate bonds which pay a larger rate of interest and thereby make more money for their banks. But that may not be wise in the long run, as explained by the other speakers. Some of these bonds which are today selling for a big premium may, in the near future, sell for much less, even down to sixty, as they have in the past.

I happened to be in one of our savings banks a week ago Saturday, and a little girl came in there with a paper bag in which she had some change and a bankbook, and she made a deposit there, I should say maybe it was \$1.50, maybe \$2.00 in money. That is the class of deposits which we have in our mutual savings banks. Seventy-five percent of the deposits are of this kind, small deposits. Those people put that money in these banks because they feel it is absolutely safe to have that money there.

It is, I believe, the first consider-

ation that we do not produce a situation whereby the banks are encouraged to sell those gilt-edged securities, these governments, which they have today, and transfer those bonds into securities which may be worth less in the very near future. Therefore, I hope this bill will not pass.

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Burton.

Mr. BURTON: Mr. Speaker and Members of the House: Far be it from me to make any attempt to be in opposition to what these bankers have told you, but my only guide was when the Association came in there, and we were also led to believe that all of the Savings Banks belonged to this Association. Naturally, not knowing very much about it, I went along, of course, with the sentiment of the Association, and I presumed it had almost the unanimous consent of that association. Also, we were told they had worked for months on the proposition and that that was the best thing they thought they could bring out. I presumed, of course, that that was definite, although there was opposition to it. Therefore, I hope that the motion to indefinitely postpone does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker and Members of the House: I am opposed to the indefinite postponement of this bill and I am perfectly willing to go along with the committee providing the committee is not in too much of a hurry.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Finnegan.

Mr. FINNEGAN: Mr. Speaker and Members of the House: The gentleman from Wilton, Mr. Morrison, likes this bill, so therefore he must have some good reason for it besides what is expressed in the bill.

I would like to recall that inasmuch as we have reviewed the tax paid by the savings banks on deposits which on a total take of \$120,000,000 in 1935 they paid a tax of \$230,000, that in that same year the trust companies' savings departments, with deposits of \$47,690,000 paid \$66,323. Now, mind you, these savings are under the same supervision as those of the savings banks.

In the year 1946, with \$112,000,000 of deposits, two and a half times what they had in 1935, they paid \$3,250 to the State of Maine to enhance their treasury.

I do not wonder that Mr. Morrison likes this bill, because this bill does not touch that situation. It does not purport to change existing regulations as regards trust companies, and yet their savings deposits are under the same supervision of the banking department, because this bill here stupidly stops, if it is a tax measure, at savings banks. I say if this bill is not indefinitely postponed that some way should be found to insert an amendment so that all the savings departments in the State of Maine will come under this bill.

I know the gentleman is going to tell you there is already a franchise tax or bank stock tax which would be assessed by municipal authority on the value of the bank stock itself, and that is a tax that can be passed back directly to the stockholders. If they chose to pay it, that is their own privilege, but it is not and it does not in any way take the place of this tax here that in 1935 yielded the State \$66,000 when the deposits were two and a half times less than they are now. So let us be consistent. If we like this bill, let us include the whole crowd.

Again, I would like to make brief reference to the proponents of this bill as to their record for proposing legislation for savings banks. I think there are people in this hall that will recall that at a previous session of the legislature in the late twenties a gilt-edged underlying mortgage bond proposition was presented to this legislature, not this one, but whatever legislature was then in session. These were beautiful bonds, they were six per cent bonds, they were on residential real estate at sixty per cent of its value; they included no business properties, did not include any business structures, they were just residential, apartment houses, sixty per cent of their value. Then, to be sure, everything was wrapped up and underlying, much more beautifully situated than this present situation would indicate. They were guaranteed by a surety company. Well, any of us who later on sat in these savings banks and watched that sixteen million dollars of investment that was proposed and

legislation was passed in this House to make those legal for Maine Savings Banks, realize that the whole thing went to smash, every bond was defaulted, and the insurance company was liquidated. I think in a couple of years they finally adjusted the fee of one of the lawyers that defended the Savings Bank Association at hearings before bankruptcy courts in New York. I think the fee was adjusted at \$80,000. He wanted \$120,000, if I recall correctly.

So I simply offer to you that this group — and a few of the chief opponents of this bill were in on that party — I simply offer that to you as evidence that these people are not infallible. They can go off the deep end like the rest of us.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Jordan.

Mr. JORDAN: Mr. Speaker and Members of the House: I wish to call attention to the fact that when this bill was passed conditions were entirely different and bonds were paying around four or five or even a higher percentage, and I cannot conceivably think that if they were paying as they are paying today, around two and three-quarters or 2.65 per cent, that this law would ever be passed by that legislature. I think the conditions are different, and I think that we are trying at this time to make a tax measure that fits the conditions at present, and that in the future, if conditions ever change, that we have faith in future legislatures to change it back again or find some other suitable way of taxing the banks where they can get suitable revenue.

I jotted down a couple of things that I thought of. The first rule that I learned about investment was not to put all your eggs in one basket. Diversified investment has always been acknowledged to be the best way to protect funds. I am not entirely convinced that even the fact that the securities which are held to such a large percentage in savings banks portfolios entirely wiped out the policy of diversified investment. I am not sure but what our banks would come more and more under federal control. And again we have been told that when securities fall in price that our banks would be placed in danger of great loss and danger to credit, just as they were in 1932. I am not

sure what, being given time, this drop might not be a benefit in disguise, because it would certainly indicate a rise in the interest rate and a chance for our banks, with good judgment, to recuperate and secure a better interest coverage. And I must remind you that what can be sold, must be sold at a low price, can be bought. And so I am in favor of the bill that will fit the conditions of today and leave it to future legislatures to make amendments as they see fit as conditions change.

The SPEAKER: The question before the House is upon the motion of the gentleman from Bangor, Mr. Finnegan, that the report of the committee be indefinitely postponed.

The Chair recognizes the gentleman from Corinth, Mr. Elliott.

Mr. ELLIOTT: Mr. Speaker and Members of the House: I do not need to arise to tell you that I do not know anything about banking. I wish to say that I was asked to introduce this bill since it had to come into the House. I have been challenged by my friend from Bangor several times. He said he was going to tear me all to pieces, and I think he has done it to the satisfaction of you all. But, if my memory serves me correctly, representatives of the Savings Bank Association of the State of Maine and the State Tax Assessor told me that this bill would be vigorously opposed by a certain savings bank which was in a city only a short distance from my home, because they, under the new scheme, would have to pay a larger tax than they are paying at the present time. I would like to remind the members of this Legislature that the squawk today has been entirely from that bank. I hope that the motion to indefinitely postpone does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker and Members of the House: It appears from the arguments brought out here that this is more a Banks and Banking measure than a taxation measure. About all the bill seems to do is to facilitate the work in the office of the State Tax Assessor by making it easier to assess the tax. I still think there is food for thought in what the gentleman from Bangor has told you. It looks

to me as if it may be opening the door to savings banks to buy on the wrong end. In other words, when they are buying a bond for \$1325, I would say they would be much smarter if they were buying that bond a little later at \$762 on a four per cent basis. I still think that this bill perhaps is changing the structure of our savings banks and that it should be re-referred to the Banks and Banking Committee and that the motion of the gentleman from Bangor should not prevail.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Mills.

Mr. MILLS: Mr. Speaker and Members of the House; I am wondering if this is a private fight among the bankers or can anyone come in?

I have heard something from the bankers in my own territory in regard to this, and, as I understand it, the picture is this: For years the revenue accruing to the State from this particular bank tax we have now has been shrinking, shrinking so fast that the bankers realized that if they did not come in and correct it and tax themselves some more, that the State Tax Assessor or some other institution would come along and recommend something very drastic, so they have proposed a constructive piece of legislation. The bank which is going to be affected the most—we have been talking about personal interests and institutional interests—and, as I understand it, the institution which is going to be taxed the most and suffer the most under this bill, produced the individual who drew it up, and he would be hurting his own institution more than any other institution in the State, that man who drafted the legislation and worked the hardest on it. I say in a matter like this, where the committee has said that the Savings Bank Association has been very strongly in favor of it—whether they were unanimous seems to be in question—I think we should go along with the committee. If amendments are in order they can be presented later.

In regard to the income tax proposition, regardless of what we do here, it will not cripple our power later to pass a measure which will repeal this bill. That was done sometime ago. You remember we passed something in regard to trial justices, and now we have a measure in to correct a sit-

uation which we failed to recognize at that time. It is just correcting another one of these Judiciary Committee mistakes. I hope we will go along with the committee.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker and Members of the House: While I have all the confidence in the world in Mr. Morison, I still do not think that this is a good bill. If you will read the bill, possibly all it does is change the method of taxation, but I think every individual in this House was taught as a youngster that the smart thing to do was to put your money in the bank. For that reason, when you tell the youngster that he is being taxed at the rate of sixty dollars a thousand, or the widow or the orphan, I think the psychology is poor.

I will also point out to you another danger, and that is the fact that if you take this method of taxing your savings it may only be another step before commercial accounts are also taxed in the same way. For that reason, I do feel that, although it might simplify matters—and I would explain to those who do not already know that the reason our revenue has dropped in savings banks is due to the fact that if they put their investments in government securities they are allowed tax exemption—and for that reason we are not today collecting from the savings banks the taxes that they formerly did pay. It may have possibly been pointed out to you that the savings banks have been going out of government bonds and into other investments. I say to you that I still do not think this is the time to do this sort of thing. It may simplify matters, but I do not think it is a good bill, and I concur with the gentleman from Bangor.

The SPEAKER: The Chair recognizes the gentleman from Wilton, Mr. Morison.

Mr. MORISON: Mr. Speaker, if I understand the gentleman from Presque Isle correctly—and I stand to be corrected if I do not—he said something about taxing the savings accounts sixty dollars a thousand. I just wish to correct that.

When the vote is taken, I would ask for a division.

The SPEAKER: The question before the House is upon the motion

of the gentleman from Bangor, Mr. Finnegan, that the "Ought to pass" report of the committee, with accompanying papers, be indefinitely postponed. The gentleman from Wilton, Mr. Morison, has requested a division.

All those in favor of the motion for indefinite postponement will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Thirty-eight having voted in the affirmative and seventy-six in the negative, the motion fails.

The question before the House is upon the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the "Ought to pass" report of the committee be accepted.

The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, I move that this report and bill be now recommitted to the Committee on Banks and Banking.

The SPEAKER: The Chair would state that the matter is not before the House until the report of the committee has been acted upon.

Is it the pleasure of the House to accept the report of the committee.

The motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker and Members of the House: I believe there is more or less controversy in this bill. I feel that it is a bill that is changing the whole structure of investments of savings banks, and I think it should be referred to the Committee on Banks and Banking for further consideration and hearing, and I now so move.

The SPEAKER: The question before the House is on the motion of the gentleman from Greenville, Mr. Rollins, that this matter be now referred to the Committee on Banks and Banking.

All those in favor will say aye; those opposed no.

A viva voce vote being doubted, A division of the House was had.

The SPEAKER: Thirty-eight having voted in the affirmative and seventy-four in the negative, the motion does not prevail.

The bill, having already been printed, under suspension of the rules was given its two several read-

ings and tomorrow assigned for third reading.

The SPEAKER: The Chair lays before the House the seventh tabled and unassigned matter, Bill "An Act Relating to Operation of Farm Tractors" (H. P. 253) (L. D. 179) tabled on March 14th by the gentlewoman from Crystal, Miss Longstaff, pending passage to be engrossed; and the Chair recognizes that gentlewoman.

On motion by Miss Longstaff, the bill was retabled and specially assigned for Wednesday, April 9th.

The SPEAKER: The Chair lays before the House the eighth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Salaries and Fees on Bill "An Act Relating to the Compensation of Senators and Representatives" (H. P. 1211) (L. D. 855) tabled on March 19th by the gentleman from Thomaston, Mr. Bell, pending acceptance of report; and the Chair recognizes that gentleman.

On motion by Mr. Bell, the report, with accompanying papers, was retabled pending acceptance of report, and specially assigned for Thursday, April 10th.

The SPEAKER: The Chair lays before the House the ninth tabled and unassigned matter, An Act to Provide for Maintenance and Operation of State Technical and Vocational Schools (S. P. 275) (L. D. 815) tabled on March 19th by the gentleman from Presque Isle, Mr. Brewer, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. BREWER: Mr. Speaker, since this bill involves appropriations, I move that it lie on the table and be specially assigned for Friday of this week.

The motion prevailed, and the bill was tabled pending passage to be enacted, and specially assigned for Friday, April 11th.

The SPEAKER: The Chair lays before the House the tenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Motor Vehicles on Bill "An Act Relating to Issuance of Motor Vehicle Registrations and Operators' Licenses by Municipal Tax Officers" (H. P. 1469) (L. D. 1073) tabled on March 20th by the

gentleman from Waterville, Mr. Muskie, pending acceptance of report; and the Chair recognizes that gentleman.

On motion by Mr. Muskie, the "Ought not to pass" report of the committee was accepted.

The SPEAKER: The Chair lays before the House the eleventh tabled and unassigned matter, Bill "An Act to Amend the Charter of Winthrop Water District" (H. P. 1640) (L. D. 1324) tabled on March 26th by the gentleman from Monmouth, Mr. Marsans, pending assignment for third reading; and the Chair recognizes that gentleman.

On motion by Mr. Marsans, the bill was retabled pending assignment for third reading and specially assigned for Friday, April 11th.

The SPEAKER: The Chair lays before the House the twelve tabled and unassigned matter, Bill "An Act Relating to Fire, Marine and Inland Marine Insurance Rate Regulation" (H. P. 64) (L. D. 49) (In House, passage to be engrossed re-considered) tabled on March 26th by the gentleman from Portland, Mr. Bowker, pending passage to be engrossed; and the Chair recognizes that gentleman.

Mr. BOWKER: Mr. Speaker and Members of the House: Two amendments are to be presented on this bill, that are not quite ready, and I would ask that it be retabled and specially assigned for tomorrow.

The motion prevailed, and the bill was retabled pending passage to be engrossed and specially assigned for Wednesday, April 9th.

The SPEAKER: The Chair lays before the House the thirteenth tabled and unassigned matter, Bill "An Act Relating to Casualty and Surety Insurance Rate Regulations" (H. P. 65) (L. D. 50) (In House, passage to be engrossed re-considered) tabled on March 26th by the gentleman from Portland, Mr. Bowker, pending passage to be engrossed; and the Chair recognizes that gentleman.

Mr. BOWKER: Mr. Speaker and Members of the House: This being a companion bill to the previous bill, I also move that this bill be retabled and specially assigned for tomorrow morning.

The motion prevailed, and the bill was retabled pending passage

to be engrossed and specially assigned for Wednesday, April 9th.

The SPEAKER: The Chair lays before the House the fourteenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Judiciary on "Resolve, in Favor of Hydro-Electric Interstate Cooperation" (H. P. 1576) (L. D. 1221) tabled on March 26th by the gentleman from Greenville, Mr. Rollins, pending acceptance of report; and the Chair recognizes that gentleman.

On motion by Mr. Rollins, the report, with accompanying papers, was retabled pending acceptance of report, and specially assigned for Friday, April 11th.

The SPEAKER: The Chair lays before the House the fifteenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act Relating to Sunday Roller Skating" (H. P. 1282) (L. D. 882) tabled on March 26th by the gentleman from Carmel, Mr. McGown, pending acceptance of report; and the Chair recognizes that gentleman.

On motion by Mr. McGown, the report, with accompanying papers, was retabled pending acceptance of report, and specially assigned for Friday, April 11th.

Mr. Sweetser of Cumberland, was granted unanimous consent to address the House.

Mr. SWEETSER: Mr. Speaker, it appears that the Members who have tabled these various matters are not well prepared at this moment to discuss or consider these matters, and unless there are some who voluntarily wish to take some of these matters from the table, I would like to make a motion that we recess until four o'clock this afternoon, if that motion is in order.

The SPEAKER: The gentleman from Cumberland, Mr. Sweetser, moves that the House do now recess until four o'clock this afternoon. Is this the pleasure of the House?

The motion prevailed and the House recessed until four o'clock this afternoon.

After Recess — 4:00 P. M.

The House was called to order by the Speaker.

The SPEAKER: The Chair lays before the House the sixteenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act Relating to Sunday Moving Pictures" (H. P. 1283) (L. D. 883) tabled on March 26th by the gentleman from Carmel, Mr. McGown, pending acceptance of report; and the Chair recognizes that gentleman.

On motion by Mr. McGown, the "Ought not to pass" report of the committee was accepted.

The SPEAKER: The Chair lays before the House the seventeenth tabled and unassigned matter, Bill "An Act Regulating Lights on Motor Vehicles" (H. P. 1628) (L. D. 1300) tabled on March 26th by the gentleman from Madison, Mr. DeSanctis, pending assignment for third reading.

Thereupon, the bill was assigned for third reading tomorrow morning.

The SPEAKER: The Chair lays before the House the eighteenth tabled and unassigned matter, An Act Relating to the Control of Rats on Public Dumping Grounds, (S. P. 241) (L. D. 662) tabled on March 26th by the gentleman from Augusta, Mr. Fowler, pending passage to be enacted.

The Chair recognizes the gentleman from Greenville, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, noting the absence of the gentleman from Augusta, Mr. Fowler, I move that this bill be retabled and specially assigned for Friday morning.

The motion prevailed, and the bill was retabled pending passage to be enacted, and specially assigned for Friday, April 11th.

The SPEAKER: The Chair lays before the House the nineteenth tabled and unassigned matter, An Act Authorizing the Governor, with the Advice and Consent of the Council, to Convey Lands and Easements Owned by the State (S. P. 334) (L. D. 969) tabled on March 26th, by the gentleman from Greenville, Mr. Rollins, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. ROLLINS: Mr. Speaker, I now move the indefinite postponement of this bill. This bill calls for conveyance of land and easements by the Governor and Council: "The

Governor, with the advice and consent of the Council, may sell and convey, on behalf of the State, at such prices and on such terms and conditions as may be determined," etc.

I believe that we have delegated by far too much of the powers of this Legislature, and, for that reason, being jealous of the powers of this Legislature, I feel that this bill should not pass.

The SPEAKER: The question before the House is on the motion of the gentleman from Greenville, Mr. Rollins, that Bill "An Act Authorizing the Governor, with Advice and Consent of the Council, to Convey Lands and Easements Owned by the State" (S. P. 334) (L. D. 969) be indefinitely postponed. Is the House ready for the question. All those in favor will say aye; those opposed no.

A viva voce vote being doubted, A division of the House was had.

Eighty-one having voted in the affirmative and four in the negative, the motion prevailed, and the bill was indefinitely postponed.

The SPEAKER: The Chair lays before the House the twentieth tabled and unassigned matter, An Act to Provide a Town Council and Manager Form of Government for the Town of Old Orchard Beach" (H. P. 20) (L. D. 11) tabled on March 26th by the gentleman from York, Mr. Marshall, pending passage to be enacted; and the Chair recognizes that gentleman.

On motion by Mr. Marshall, under suspension of the rules, the House voted to reconsider its action of March 20th, whereby it passed this bill to be engrossed.

On further motion by the same gentleman, under suspension of the rules, the House voted to reconsider its action of March 21st whereby it adopted Senate Amendment "A".

Mr. Marshall then offered House Amendment "A" to Senate Amendment "A" and moved its adoption.

House Amendment "A" to Senate Amendment "A" read by the Clerk as follows:

House Amendment "A" to Senate Amendment "A" to H. P. 20, L. D. 11, Bill, "An Act to Provide a Town Council and Manager Form of Government for the Town of Old Orchard Beach."

Amend said Amendment by striking out the 2nd sentence of that part designated "Sec. 18" and inserting in place thereof the follow-

ing: "Such special meeting or annual town meeting shall be held not later than 9 months after the effective date of this act."

House Amendment "A" to Senate Amendment "A" was adopted.

Senate Amendment "A" as amended was then adopted, and the bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair lays before the House the twenty-first tabled and unassigned matter, An Act to Increase the Salary of the Sheriff in Sagadahoc County" (H. P. 626) (L. D. 386) tabled on March 26th by the gentleman from Bath, Mr. Legard, pending passage to be enacted; and the Chair recognizes that gentleman.

On motion by Mr. Legard, the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair lays before the House the twenty-second tabled and unassigned matter, An Act to Regulate Eligibility of Premises for Which Liquor Licenses May be Granted" (H. P. 1101) (L. D. 676) tabled on March 26th by the gentleman from Auburn, Mr. Williams, pending passage to be enacted; and the Chair recognizes that gentleman.

On motion by Mr. Williams, the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair lays before the House the twenty-third tabled and unassigned matter, An Act Relating to Qualifications for License to Sell Real Estate, (H. P. 1392) (L. D. 998) tabled on March 26th by the gentleman from Woodland, Mr. Brown, pending passage to be enacted; and the Chair recognizes that gentleman.

On motion by Mr. Brown, the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Mr. Broggi of Sanford, was granted unanimous consent to address the House.

Mr. BROGGI: Mr. Speaker, I understand the Claims Committee is in session this afternoon, and, in fairness to Mr. DeSanctis, who had Item 17 tabled, I move that the House reconsider its action taken on Item 17.

The SPEAKER: The Chair would state that the Claims Committee or

no other committee is supposed to be in session when this body is in session.

Will the gentleman from Sanford, Mr. Broggi, please approach the rostrum.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Broggi.

Mr. BROGGI: Mr. Speaker, I would like to withdraw my motion.

The SPEAKER: The gentleman from Sanford, Mr. Broggi withdraws his motion to reconsider the matter.

The SPEAKER: The Chair lays before the House the twenty-fourth tabled and unassigned matter, An Act Relative to Bounty of Bobcat, Loupcervier and Canada Lynx, (H. P. 1624) (L. D. 1284) tabled on March 26th by the gentleman from Machias, Mr. Hayward, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. HAYWARD: Mr. Speaker, an amendment for this bill is now being reproduced. I would like to have the matter tabled until later in today's session.

The SPEAKER: The House will be at ease.

House at Ease

Called to order by the Speaker.

The SPEAKER: The Chair recognizes the gentleman from Machias, Mr. Hayward.

Mr. HAYWARD: Mr. Speaker, I wish to withdraw my motion to lay this bill on the table.

The SPEAKER: The gentleman withdraws his motion to lay the bill on the table.

On motion by Mr. Hayward, under suspension of the rules, the House voted to reconsider its action taken where it passed this bill to be engrossed on March 14th.

Mr. Hayward then offered House Amendment "A" and moved its adoption.

House Amendment "A" read by the Clerk as follows:

House Amendment "A" to H. P. 1624, L. D. 1284, Bill "An Act Relative to Bounty on Bobcat, Loupcervier and Canada Lynx."

Amend said Bill by striking out all after the enacting clause and inserting in place thereof the following:

"Sec. 1. R. S., c. 33, § 102, amended. The 1st sentence of the 1st

paragraph of section 102 of chapter 33 of the revised statutes, as revised, is hereby amended to read as follows:

"There shall be a bounty of \$15 \$20 for every bobcat, loupcevrier and Canada lynx which is killed within the state, to be paid by the treasurer of state to the person killing the same upon compliance with the following conditions."

Sec. 2. Limitation. This act shall remain in force for a period of 2 years only. It is the intent of the legislature to change the present statute for a period of 2 years only, after which period the present statute shall return to full force and effect."

Thereupon, House Amendment "A" was adopted, and the bill was passed to be engrossed as amended, in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair lays before the House the twenty-fifth tabled and unassigned matter, "Resolve, in Favor of a Special Recess Committee to Study the Creation of Domestic and Family Courts and Report to the Legislature" (S. P. 283) (L. D. 806) tabled on March 26th by the gentleman from Presque Isle, Mr. Brewer, pending final passage; and the Chair recognizes that gentleman.

Mr. BREWER: Mr. Speaker, as this matter involves appropriations, I move it lie on the table and be specially assigned for Friday, April 11th.

The motion prevailed, and the resolve was re-tabled pending final passage, and specially assigned for Friday, April 11th.

The SPEAKER: The Chair lays before the House the twenty-sixth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Treasurer of State" (H. P. 1206) (L. D. 826) tabled on March 27th by the gentleman from Thomaston, Mr. Bell, pending acceptance of report; and the Chair recognizes that gentleman.

On motion by Mr. Bell, the matter was retabled and specially assigned for Friday, April 11th.

The SPEAKER: The Chair lays before the House the twenty-seventh tabled and unassigned matter, Bill "An Act Relating to Jurisdiction of Municipal Courts in Juvenile Cases"

(S. P. 256) (L. D. 718) tabled on March 27th by Mr. Williams of Auburn pending passage to be engrossed; and the Chair recognizes that gentleman.

On motion by Mr. Williams, the bill was retabled pending passage to be engrossed and specially assigned for Friday, April 11th.

The SPEAKER: The Chair lays before the House the twenty-eighth tabled and unassigned matter, Bill "An Act to Provide for an Increase to be Paid for Clerk Hire in the Office of the Register of Deeds in the County of Cumberland and Salary of Deputy Register of Deeds" (H. P. 180) (L. D. 128) tabled on March 28th by the gentleman from Portland, Mr. Haskell, pending passage to be engrossed; and the Chair recognizes that gentleman.

On motion by Mr. Haskell, the bill was retabled pending passage to be engrossed, and specially assigned for Friday, April 11th.

The SPEAKER: The Chair lays before the House the twenty-ninth tabled and unassigned matter, Bill "An Act Continuing the Division of Veterans Affairs" (S. P. 472) (L. D. 1319) tabled on March 28th by the gentleman from Rockland, Mr. Bird.

The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker, in the absence of the gentleman from Rockland, Mr. Bird, I move this matter be laid on the table pending passage to be engrossed, and be specially assigned for Friday, April 11th.

The motion prevailed, and the bill was so tabled and so assigned.

The SPEAKER: The Chair lays before the House the thirtieth tabled and unassigned matter, Senate Majority Report "Ought to pass" and Senate Minority Report "Ought not to pass" of the Committee on Motor Vehicles on Bill "An Act Relating to Registration of Motor Vehicles." (S. P. 130) (L. D. 283) In Senate, Majority Report accepted and the bill passed to be engrossed. In the House, both reports tabled on March 31 by the gentleman from Presque Isle, Mr. Brewer, and the Chair recognizes that gentleman.

Mr. BREWER: Mr. Speaker, I now move you that the majority report, "Ought to pass," be accepted. In support of this motion, I will say to the members of the House

that this is the famous truck reciprocity act. I do not feel that any argument I should make would probably influence any votes one way or the other; I feel that this House has already been thoroughly canvassed and possibly everybody has made up their minds whether they are going to vote for or against this bill. I am only going to argue one or two points that are connected with this particular bill.

Two years ago when this bill was discussed, we were told that the State would lose in revenue anywhere from \$91,000 up to \$400,000, but we did try reciprocity for two years and we found out that instead of a loss that we had an actual gain in 1946 over 1944 of \$244,000.

Now if you would just stop and think for a minute of how few commercial trucks there are compared to the others privately owned, I think you would agree that any loss we might make is well offset by indirect benefits and the money that is saved to the other people owning trucks.

Now in regard to the argument that we are not getting the gas tax on many of the trucks coming into the State of Maine, I will say to you that we never did, even under the other set-up, because it is policy for those trucks, when they are starting in Massachusetts, to fill their tanks and come into Maine and go back if they can, or if they go from Maine into Massachusetts or what have you, in other words they do not get our tax either.

As I told you, I am not going to argue the several points, but I do feel that any records have shown that we have not lost. It is merely a matter of conjecture on any estimation that is put forward to tell you that we have lost money. I believe it is another trade barrier. I believe that we did not make this country as big as we did by having trade barriers, and I feel that truck reciprocity is very beneficial to us in this State. I would ask when the vote is taken that it be taken by a division.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Collins.

Mr. COLLINS: Mr. Speaker and Members of the House: Two years ago, when this question came up, I was of the opinion that reciprocity between the states was beneficial to industry throughout the State of

Maine. I am still of that opinion. I believe that reciprocity for trucks is a good thing for the State of Maine, and I would like to point out particularly the very beneficial effect upon Maine's lumber industry, both in the production and distribution phases of operation. There have been new markets opened for several reasons. Many industries and business houses in southern New England and New York using lumber for maintenance and general construction do not always have the facilities for handling a full rail carload lot and they demand their lumber in truckload lots. Prior to motor truck reciprocity, this business, which amounts to a considerable volume, often went to New Hampshire and Vermont, because these dealers could furnish their trucks on a reciprocal basis with Massachusetts and the other states involved. Since reciprocity, the State of Maine, with its capacity to handle these things, has been able to capture much of this market, and the result has been an increased volume of business as well as a much more favorable price than that prevailing in the Maine market. Reciprocity has opened the markets of New Hampshire along with Maine to lumber business as well as other types of Maine business. Reciprocity has made it possible for Maine's lumber dealers to compete with those in other states in the general market. I believe, therefore, that reciprocity is a good thing for the State of Maine and that it should be definitely continued, and I hope that the "Ought to pass" report will be favored.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Cole.

Mr. COLE: Mr. Speaker and Members of the House: I do not know that my argument will be an argument against reciprocity. I merely want to tell this House what the effect of reciprocity has been upon the for hire trucking industry in Maine. The figures I am going to quote I will try to make in total so that I won't bore you, but I will also state the source of my information.

First, I have here two lists of every for hire truck that is licensed under the Public Utilities Commission to haul freight in the State of Maine. There are a total number of units, trucks, tractors and semi-

trailers of 2213 for hire units. Now the breakdown of that figure is: 547 trucks, 630 tractors and 1036 trailers. Of those figures, the 547 trucks, the Maine operators still control 158, the non-resident operators control 389. Of the 630 tractors, the Maine operators still have 104; the non-resident operators have 526. Of the trailers, the 1036 trailers, the Maine operators have 169; the non-resident operators have 867. In other words, the Maine operators control 431 of these units and the non-resident operators control 1782 of them. I think there is something to be learned from that picture.

The reason for it is that the license fees in the State of Maine on a standard forty thousand gross trucks, which is the size that is used mostly by the for hire freight haulers, the license fee is \$300. In Massachusetts it is \$60; in Vermont it is, I believe, \$375. The gasoline tax in the State of Maine is four cents; the gasoline tax in Massachusetts is three cents. The Maine carrier's cost of operating one truck, paying his license fee, gasoline tax, his excise tax, public utility plates and everything, is \$799 per year per truck. In the State of Massachusetts, where our major competition comes from, the total cost, gasoline tax, registration and public utilities fee is \$402—\$402 against \$799. Gentlemen, where would you operate your trucks and where would you license them?

It has already been argued that the State of Maine made money through reciprocity. That is someone's estimate; it is figures taken from the registration department. The average figures in the registration department show that each truck that is registered pays an average of just over thirty dollars. Thirty dollars, gentlemen, will buy you a two and a half ton license, and you can not run up to Massachusetts and make money with that type of truck.

I would like to say that I have figures from the registration department of twelve of the larger operators, the amount of money that they paid, just twelve operators of the for hire industry, and already it has been stated that the for hire industry is a small percentage of the total, but only twelve operators in the for hire industry saved a total of \$26,572.50. That is only twelve of the larger operators in 1946 as

against what they paid in 1945. In 1945 they paid us \$34,435 for those trucks, and in 1946 they paid us \$7,862.50. If there is any profit in that I cannot see it.

If these trucks were licensed in the State of Maine for the same carrying capacity as they are licensed for in the states from which they come, these for hire trucks,—and I submit to you that they have 128 tractors licensed for five tons or less, and the tractor carries the license for the whole vehicle—I do not believe they are even paying the license that they should in the state that they come from, but if they licensed them in the State of Maine for the same price they would pay to the State of Maine, \$151,580. That is not an estimate, that is an actual figure.

The only thing I have to say about this whole measure is that unless some relief is given to the for hire truckers who wish to stay in the State of Maine and try to make a living here then there just won't be any inside of the next two or three years.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Tabb.

Mr. TABB: Mr. Speaker and Members of the House: I do not believe there is a member in this House but what will agree with me that agriculture is the backbone of this State. Today we need reciprocity just as much as we needed it for the last two years. The word, if you will look it up, means give and take. Now if we are going to take we have to give.

I just want to say a few words in regard to my own industry as a farmer, the egg and poultry industry. Before we had reciprocity we had no markets outside of the State of Maine as far as our farmers were concerned in selling their merchandise direct. If they took their merchandise to Portland, if the market was flooded they either had to sell their merchandise at a great loss or take it home, realizing that our product spoils very quickly, naturally the farmer had to take what he could get.

Now with this reciprocity, the farmer goes to Portland, which is our biggest market here in the State, and if he cannot sell his merchandise he can carry it through to the market in Boston, which is the market of our industry. Not only that, he receives more money

without taking a loss, even with the extra expense of the transportation. It has been proven that where our farmers have gone to New York with their poultry and they have paid us farmers anywhere from two to three cents a pound more for our poultry for the simple reason they could carry it through at a less expense with reciprocity.

Gentlemen, that is the bill today, reciprocity for your farmers, and, if agriculture is the backbone, why hesitate when you want to do something for your State.

It is very nice for us to sit here and want to cut everything out of agriculture which, as I stated is the Maine backbone, but I believe, gentlemen, if you take this away from us farmers that you are going to suffer along with us.

Now, as I understand it, financially it has not made any difference but within a few thousand dollars, and they cannot calculate absolutely how much good it has done in dollars and cents because we do not know what the farmer has done in carrying his merchandise through. If this bill is defeated, it means that the farmer will not buy as many trucks to carry his stuff through to the market where he can sell it at a better advantage than he can in Maine.

I hope, Mr. Speaker, that this bill will pass.

The **SPEAKER**: The Chair recognizes the gentleman from Portland, Mr. Allen.

Mr. ALLEN: Mr. Speaker and Members of the House: As a member of the Committee on Motor Vehicles two years ago which heard this bill, and a member this year of the same committee, I was at that time, two years ago, and I am still impressed with the fact that reciprocity is of vital interest to all the people in the State, not to one particular class or one particular group. I know that names usually are boring when read before the Legislature, and I realize that some of you were present at the public hearing on reciprocity here in the House several weeks ago, I would like to read to you at this time a list of some of the speakers who appeared as proponents for this measure. I have seldom, in my two terms here in this Legislature, been at any public hearing at which such a wide number of groups have appeared representing all fields of

Maine industry, Maine labor, Maine agriculture and Maine people. Therefore I would like to read just briefly some of the proponents for truck reciprocity who appeared before our committee several weeks ago.

The effect of truck reciprocity was considered by Claude H. Hultzen, Executive Manager of the Maine State Chamber of Commerce. The Maine Independent Grocers Association was represented here, and the Sea & Shore Fisheries by Richard E. Read, Commissioner of the Department of Sea & Shore Fisheries, who spoke, as did Russell Yelton, President of the Mid-Central Fish Co. of Portland, Maine. Fred C. Gatcombe, Manager General Seafoods Corporation, Rockland, also spoke in favor of this measure. Truck reciprocity in Maine manufacturing: Axel H. Erlandson, Traffic Manager, Goodall-Sanford, Inc., Sanford, Maine, Warren Saunders, Secretary Saunders Brothers, Westbrook; and Winfield Towne, Attorney, Saco-Lowell Shops, Biddeford, and B. Morton Havey, secretary of the Associated Industries, Inc., also spoke in the field of Maine manufacturers as a proponent of reciprocity. Senator George B. Morrill, Jr., speaking for the canners of the state, one of our important industries, was a proponent. Chester G. Abbott, First Portland National Bank, Portland. For agriculture, which was mentioned as an important reason why reciprocity should be continued by my friend, Mr. Tabb, Albert K. Gardner, Commissioner of Agriculture, E. Carroll Bean, Master of the Maine State Grange, Representative Sherwood Prout of Lubec. Harry Umphrey, of the Aroostock Potato Growers, Inc., Presque Isle, Senator Harley A. Welch of the Maine Potato Growers Association. George A. Myhaver, of the State of New Hampshire gave the committee a very comprehensive idea as to how reciprocity had worked in that state. And in the lumber business, Kenneth Hancock, of M. S. Hancock & Son in Casco, A. L. Gendron, of the Lumber Dealers Association of Maine. Harry A. Harmon of the Hunnewell Trucking Company, Inc., of Portland, spoke as did Paul E. Merrill, President, Merrill Transportation Co., Portland. Representative Romie Marsans, speaking for himself; Mr. Sanborn, of Sanborn's Express in Norway, Maine, Chase Transfer

Corporation of Portland, Border Express, Bangor, Douglas Motors, Auburn, Curley Demelle, Sanford, Lynn Porter, Freeport. Frank A. McKenzie, Representative of the Maine Hotel Association spoke on how his business was affected by reciprocity. Mortier Harris, of Portland and Leroy T. Snowden, Executive Secretary, Maine Petroleum Industries Committee, also spoke. Donald MacLeod, of the Maine Automobile Dealers Association and William Ricker of the Maine Apple Growers Association.

Gentlemen, this list of speakers I feel covers a very wide scope; it covers the industries and it covers the people of Maine, and it shows that reciprocity helps all of us, not just one particular group.

I would like to point out also at this time that in 1945 the opponents of reciprocity claimed it would cost our state between \$200,000 and \$400,000 in revenue. I would like to point out that the number of truck registrations in 1941 in round figures was 45,235, and in 1946 it was 56,496. I would like to point out that the truck registration revenue in 1941 was \$1,155,000 and in 1944, \$1,210,000, in 1946, \$1,454,000.

Gentlemen, reciprocity benefits all our people, all our nine hundred thousand people. There was only one individual who appeared at our hearing against this bill. I feel the people were well represented as proponents at the hearing. I feel that the people of Maine sincerely feel that reciprocity is a good thing, and I certainly hope that the motion of the gentleman from Presque Isle prevails.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Meloon.

Mr. MELOON: Mr. Speaker and Members of the House: Two years ago I favored this bill for reciprocity on the floor of this House, and I have been very much interested in the last couple of years in watching it proceed along in the interests of our manufacturers. I think that we should give a great deal of consideration to what benefit accrues from any of our legislation and bills that go through this House here, and I am sure that the manufacturing interests of the State of Maine have been very markedly helped by reciprocity. On the long hauls of materials which come into Maine we are a long ways from our large centers

of population where these goods are used and sold, and still we have manufacturing plants here, and a great many of the products going into those plants have to come on long hauls. For one thing, we have huge shipments of wool coming in here. Some of these manufacturers of ours, industrial plants, are plants where they take in the raw material and send out the finished product, going both ways on the longer haul by truck.

We find, in looking this picture over, that we have a speed set-up which is very material: anywhere from four to seven days faster by truck, and reciprocity has certainly helped out the operation of these trucks very much. It helps the efficiency of our operations; it keeps a high level of employment; we can get our things in here quickly, get them on time, get them almost inevitable when it is necessary for them to come in. In case of breakdowns where parts of machinery are needed, things are brought in here rapidly and set up and the factory or industry gets back very quickly.

It has been pointed out here that our expanded markets, and particularly, I think, this rapid movement of raw materials into the State and out of the State, has helped a very great deal in the good will which the industries of the State of Maine have been able to accumulate in the markets they serve outside.

I certainly hope that this bill will pass.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Portland, Mr. Cole.

Mr. COLE: Mr. Speaker and Members of the House: It seems I am all alone in this fight today, but I would like to state that on September 25th, 1946, there was an inspection made by the gasoline tax inspectors down by the Wells Barracks from the hours of eleven o'clock in the morning until after midnight, on Route 1 only. They stopped every truck of every description travelling in either direction, asked them where they bought their gasoline, asked them the gasoline capacity of their tanks and tabulated the owner of the truck. In that twelve or fourteen hour period they stopped 104 trucks. Seventy-two of these trucks came from and were licensed in Massachusetts, six of them came from

and were licensed in Maine, ten in New Hampshire, and four in Vermont, one or two New Jersey, one in New York, one in Maryland, one in Nova Scotia, and one in Connecticut.

This reciprocity bill, the way it has been argued here, you would be led to believe that without reciprocity these trucks could not travel across the line. The actual fact of the case is that trucks cannot travel across the line unless they want to help maintain the highways of the State of Maine, help by buying registration here. They won't buy any gasoline here. They carry up to 156 gallons per truck. Naturally it is good business to buy gasoline where it is two cents cheaper than in the State of Maine. But we have 1780 odd units in the for hire industry that are operating into the State of Maine. They license in the State of Maine 80 units out of 1780 odd. They buy no gasoline here, they operate, according to this figure here, about 95 per cent of the trucks that are operating over the highway, and they spend not one cent to help us maintain the highways.

That, gentlemen is my whole argument, and the only argument that can be called against reciprocity. I hope that the motion does not prevail.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Presque Isle, Mr. Brewer.

Mr. BREWER: Mr. Speaker, even though these figures may be true that Mr. Cole presents, I still say that these commercial trucks are very much in the minority, very much so when you consider we have 56,000 trucks registered.

Now I say that without reciprocity if I see fit to buy a truck and go out of the State I am penalized to this extent: if I buy a truck to go out of the State, because we have no reciprocity I pay \$300 in the State of Maine, in New Hampshire I pay \$240; in Massachusetts I pay \$60. The same truck coming from Massachusetts, we will say, pays a registration fee of \$60; they pay nothing in New Hampshire. This is talking if we have no reciprocity: they pay \$300 in the State of Maine. In other words, we are at a disadvantage, I am, in that it costs the Massachusetts truck without reciprocity \$360 and it costs me \$600. As I say, these trucks, at the

time this truck count was taken I do not think it would be a fair indication, and it would only be fair on a twenty-four hour basis. Many of these trucks travel in the night, and from twelve to eleven a good many of them would have gone by.

I just go back to what I say: Do not lose sight of the fact that we are penalized without reciprocity, because it costs us more to go out than it does the other fellow to come in. Also, these commercial trucks, these big ones they speak of, are in the minority compared to what we have in the State of Maine. I still insist that the indirect benefits we receive well outweigh any loss we have.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Prout.

Mr. PROUT: Mr. Speaker and Members of the House: Nine years ago I moved down in Washington County and went into the commercial vegetable growing business which I had been doing at Cape Elizabeth. My products there, ninety-nine per cent move out of the State, and the rest of the vegetable growing business along the coast, which is set up mostly along the coast, a large percentage of their goods moves out of the State. We are competing with areas shipping into Boston where the majority of products go, with upper New York State, which has a similar produce to ours. We are stopped at two state lines on our ducts going to Boston, and there are no trade barriers in the other sections competing with us. My business down there as time goes on becomes more competitive, and it will mean quite a few cents a package difference in cost of getting those goods to Boston without reciprocity.

I hope the motion of the gentleman from Brewer prevails.

The SPEAKER: The Chair recognizes the gentleman from Lisbon, Mr. Plummer.

Mr. PLUMBER: Mr. Speaker and Members of the House: You have so far heard mostly figures quoted by proponents from both sides. It seems that both proponents and opponents make it appear attractive. Supposing we forget for a minute the question of dollars and cents in actual registration. I do not believe there can be any question as to the value of the service rendered by good transportation to

farmers and lumbermen and industries. That is something I do not believe anyone can argue against. I believe it is the greatest argument for reciprocity. I hope that the motion prevails.

The SPEAKER: Is the House ready for the question? The question before the House is upon the motion of the gentleman from Presque Isle, Mr. Brewer, that the House accept the "Ought to pass" report of the committee, and the same gentleman has asked for a division. All those in favor of the motion will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: One hundred and sixteen having voted in the affirmative and nine in the negative, the motion prevails.

Thereupon the bill was given its two several readings and tomorrow assigned for third reading.

The SPEAKER: The Chair lays before the House the thirty-first tabled and unassigned matter, Bill, "An Act Relating to Eligibility of Certain Clubs for Liquor Licenses" (S. P. 476) (L. D. 1329) tabled on March 31st by the gentleman from Madison, Mr. DeSanctis, pending passage to be engrossed; and the Chair recognizes that gentleman.

On motion by Mr. DeSanctis, the bill was passed to be engrossed in concurrence.

The SPEAKER: The Chair lays before the House the thirty-second tabled and unassigned matter, Bill "An Act Prohibiting Erection of Billboards Adjacent to Turnpikes" (S. P. 349) (L. D. 1161) tabled on April 1st by the gentleman from Farmington, Mr. Mills, pending passage to be engrossed. The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, I offer House Amendment "A" and move its adoption, and when the amendment has been read I would like to speak.

House Amendment "A" was read by the Clerk as follows:

House Amendment "A" to S. P. 349, L. D. 1161, Bill "An Act Prohibiting Erection of Billboards Adjacent to Turnpikes."

Amend the title of said bill by striking out the underlined word

"turnpikes" and inserting the underlined word 'highways'.

Further amend said bill by striking out the underlined word "turnpikes" wherever it appears in said bill, and inserting in place thereof the underlined word 'highways'.

Further amend said bill by striking out the underlined word "turnpike" in the 6th and 12th lines of said bill and inserting in place thereof the underlined word 'highway'.

Further amend said bill by striking out in the 7th line of said bill the underlined word "turnpike" and inserting in place thereof the underlined word 'highway'.

Further amend said bill by adding at the end thereof a new section as follows:

'Sec. 2. So much of section 116 of chapter 20 of the revised statutes as is inconsistent with this act is hereby repealed.'

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, this amendment, if adopted, would considerably broaden the effect of the bill which it is intended to amend. I would like to be sure that the House fully understands the import of the amendment.

Those of us who love this State want to do all we can to preserve its natural beauties, and even if we were not so moved by sentiment we would be moved by interest, for we are committed to the development of the recreational and tourist business. We spend large sums of public money in advertising the natural beauty of this State, and while we are spending this money we are permitting our highways to be cluttered up with billboards.

Under the present law, billboards are permitted at a distance greater than 50 feet from the highway or 300 feet from an intersection. The effect of this amendment would be to extend that limit to 500 feet. I am fully aware that it would be extremely difficult in some parts of the State for an advertising company to obtain a 500-foot vista.

I do not seek by this amendment to abolish billboards, but I do fully intend to do everything that I can to urge that billboards, to the extent that this amendment would take effect, shall disappear from this State. I believe it is in our interest to do this. We have temporized with the problem for years.

While we have been temporizing with the problem here, other states have taken steps. New Hampshire and Vermont notably are competitive recreational areas that keep these signs from cluttering up the highways. The principal entrance to the State of Maine today—and there is plenty of testimony to that effect from everyone who comes in here—the principal entrance to the State of Maine today is, over much of its mileage, a mess. It is time we did something about it, and it is for that purpose that I advocate this amendment to this bill which would make it run on all the State Highways of the State of Maine.

The SPEAKER: The Chair recognizes the gentleman from Mount Desert, Mr. Savage.

Mr. SAVAGE: Mr. Speaker and Members of the House: When I first saw this amendment on my desk this afternoon I thought it was entirely restrictive. However, it has been called to my attention by the gentleman who last spoke that the bill as we have it has already been amended and is not in its entirety as it appears in the books that we have. I think it might be well if we could hear the previous amendment to the bill already adopted and have it read. In brief, that amendment does not restrict, as I understand it, the erection of a sign. Someone has been kind enough to give me the previous amendment. This is Committee Amendment "A" to S. P. 349, Legislative Document 61 as passed:

"The provisions of this section shall not apply to outdoor advertising structures, devices or displays upon the property whereon the goods so advertised are manufactured or sold, or the business or profession so advertised is carried on or practiced, or which advertise the real property upon which the same may be for sale or for rent, provided that such structures shall not exceed 10 in number or a total area of 250 square feet, and provided that such structures, devices or displays shall be within 300 feet of the building wherein the goods advertised are manufactured or sold, or the business or profession advertised is carried on or practiced. Any person violating the provisions of this section shall be guilty of a misdemeanor."

That amendment, it seems to me, as previously adopted, greatly modifies the bill anyway, and, with that

thought in mind, and the consciousness of the great detriment which billboards do impose, I think the amendment as proposed here is a good one and ought to have favorable consideration.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Meloon.

Mr. MELOON: Mr. Speaker and Members of the House: Last night before leaving Augusta on official business, the Attorney General hunted me up and asked me if this bill came up during his absence if I would attempt, in his interest, to lay it on the table until the latter part of the week when he could be back, so that it could be given further consideration. If that is possible at this time, I would like to so move.

The SPEAKER: The Chair understands that the gentleman moves to lay this matter on the table?

Mr. MELOON: I do, Mr. Speaker, and specially assign it for Friday the 11th.

The SPEAKER: The gentleman from Portland, Mr. Meloon, moves that this matter be laid on the table and specially assigned for Friday, April 11th.

All those in favor will say aye; those opposed no.

A viva voce vote being doubted, a division of the House was had.

The SPEAKER: Thirty having voted in the affirmative and fifty-four in the negative, the motion does not prevail.

The Chair recognizes the gentleman from Camden, Mr. Lord.

Mr. LORD: Mr. Speaker, I do not want to take the time to repeat what has been said in reference to this amendment, but, as I recall it, the Garden Clubs in my section of the State have repeatedly passed resolutions against billboards, therefore I am very much in favor of this amendment being adopted.

The SPEAKER: The Chair recognizes the gentleman from Dixfield, Mr. Stetson.

Mr. STETSON: Mr. Speaker, I do not know how many members of this House are familiar with the Androscoggin River, but if they could ride up the Androscoggin River, the portion of it in Maine, and then ride up through the New Hampshire portion, it would be a perfect example of what we ought to do in Maine. I certainly am very much in favor of seeing this bill pass. If we keep on in the next ten years as we have in the last ten

years, we will have a line of bill-boards all along our highways, advertising everything to eat for breakfast and what kind of pills to take to cure the indigestion after we have it.

The SPEAKER: Is the House ready for the question? The question before the House is upon the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the House adopt House Amendment "A." All those in favor will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed and House Amendment "A" was adopted and the bill was passed to be engrossed as amended in non-concurrence.

The SPEAKER: The Chair lays before the House the thirty-third tabled and unassigned matter, An Act to Provide Liquor Licenses for Taverns (S. P. 303) (L. D. 790) tabled on April 1st by the gentleman from Brunswick, Mr. Lacharite pending passage to be enacted.

The Chair recognizes the gentleman from Lewiston, Mr. Jalburt.

Mr. JALBERT: Mr. Speaker, in the absence of Mr. Lacharite, I move that this bill lie on the table, and in view of the fact that according to the amount of bills that are laid on the table and assigned for Friday, April 11th, and I don't think we will get home until Monday afternoon, I will table this until Thursday, April 10th.

Thereupon, the motion prevailed and the bill was tabled pending passage to be enacted and specially assigned for Thursday, April 10th.

The SPEAKER: The Chair lays before the House the thirty-fourth tabled and unassigned matter, Bill "An Act to Create a Legislative Research Committee" (H. P. 1646) (L. D. 1332) (In House, passed to be engrossed on March 28th) (In Senate, passed to be engrossed as amended by Senate Amendment "A" in non-concurrence) tabled on April 2nd by the gentleman from Greenville, Mr. Rollins, pending consideration; and the Chair recognizes that gentleman.

On motion by Mr. Rollins, the bill was retabled pending consideration and assigned for Thursday, April 10th.

The SPEAKER: The Chair lays before the House the thirty-fifth tabled and unassigned matter, An Act Relieving Towns from Care of

Neglected and Dependent Children (S. P. 246) (L. D. 663) tabled on April 2nd by the gentleman from Presque Isle, Mr. Brewer, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. BREWER: Mr. Speaker and Members of the House: Since this involves another appropriation, I will have to ask your indulgence and ask the House to table the matter until Friday, April 11th.

Thereupon, the motion prevailed, and the bill was retabled pending passage to be enacted and specially assigned for Friday, April 11th.

The SPEAKER: The Chair lays before the House the thirty-sixth tabled and unassigned matter, An Act Relating to Clerk Hire in County Offices in Sagadahoc County (H. P. 185) (L. D. 133) tabled on April 2nd by the gentleman from Farmington, Mr. Mills, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. MILLS: Mr. Speaker, the reason for placing this matter on the table was because in the act it says that it shall be retroactive to July 21st, 1947. That, of course, presupposes that we will be in session the 21st day of this month. Now it seems safe to let this matter go along because we probably will be handling the calendar for Friday, the 11th, about the 21st of the month, so Mr. Speaker, I move, that the bill be passed to be enacted.

Thereupon, the motion prevailed, and the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair lays before the House the thirty-seventh tabled and unassigned matter, An Act to Regulate the sale of Fireworks (H. P. 1189) (L. D. 756) tabled on April 2nd by the gentleman from Augusta, Mr. Fowler, pending passage to be enacted; and the Chair recognizes that gentleman.

On motion by Mr. Fowler, the bill was retabled pending passage to be enacted, and specially assigned for Friday, April 11th.

The SPEAKER: The Chair lays before the House the thirty-eighth tabled and unassigned matter, An Act Creating the Town of Wales School District (H. P. 1447) (L. D. 1053) tabled on April 2nd by the gentleman from Farmington, Mr. Mills, pending passage to be enacted.

ed; and the Chair recognizes that gentleman.

On motion by Mr. Mills, under suspension of the rules, the House voted to reconsider its action of March 26th whereby this bill was passed to be engrossed.

Mr. Mills then offered House Amendment "A" and moved its adoption.

House Amendment "A" read by the Clerk as follows:

House Amendment "A" to H. P. 1447, L. D. 1053, Bill "An Act Creating the Town of Wales School District."

Amend said Bill by striking out in the 5th line of section 9, the words "4 months after the approval of this act", and inserting in place thereof the words 'April 1, 1948.'

Thereupon, House Amendment "A" was adopted, and the bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair lays before the House the thirty-ninth tabled an unassigned matter, An Act to Create the Caribou School District (H. P. 1463) (L. D. 1067) tabled on April 2nd by the gentleman from Farmington, Mr. Mills, pending passage to be enacted; and the Chair recognizes that gentleman.

On motion by Mr. Mills, under suspension of the rules, the House voted to reconsider its action of March 26th whereby the bill was passed to be engrossed.

Mr. Collins from Caribou, offered House Amendment "A" and moved its adoption.

House Amendment "A" read by the Clerk as follows:

House Amendment "A" to H. P. 1463, L. D. 1067, Bill "An Act to Create the Caribou School District."

Amend said Bill by striking out all of section 9 thereof, and inserting in place thereof, the following:

'Sec. 9. Referendum. This act shall take effect 90 days after the adjournment of the legislature only for the purpose of permitting its submission to the legal voters of the territory embraced within the limits of said district, present and voting at a special meeting called and held for the purpose or at an annual town meeting of the town of Caribou. Such special meeting or annual town meeting shall be held not later than the next regular town

meeting after the effective date of this act. In the event a special meeting is called for the purpose, it shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the board of registration in said town of Caribou shall not be required to prepare for posting, or the town clerk to post, a new list of voters, and for the purpose of registration of voters, said board shall be in session the 3 secular days next preceding such special meeting, the 1st and 2nd days thereof to be devoted to registration of voters, and the 3rd day to enable the board to verify the corrections of such list and to complete and close up their records of said sessions. The town clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following question: "Shall the Act to Incorporate the Town of Caribou School District be accepted?" and the voters shall indicate by a cross placed over the words "Yes" or "No" their opinion of the same. This act shall take effect for all the purposes thereof immediately upon its acceptance by a majority vote of the legal voters voting at said meeting. The result in said district shall be declared by the municipal officers of the town of Caribou, and due certificate filed by the town clerk with the secretary of state.'

House Amendment "A" was adopted, and the bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair lays before the House the fortieth tabled and unassigned matter, An Act to Incorporate the Presque Isle School District (H. P. 1487) (L. D. 1088) tabled on April 2nd by the gentleman from Farmington, Mr. Mills, pending passage to be enacted; and the Chair recognizes that gentleman.

On motion by Mr. Mills, under suspension of the rules, the House voted to reconsider its action of March 26th whereby this bill was passed to be engrossed.

Mr. Brewer of Presque Isle, offered House Amendment "A" and moved its adoption.

House Amendment "A" read by the Clerk as follows:

House Amendment "A" to H. P. 1487, L. D. 1088, Bill "An Act to

Incorporate the Presque Isle School District."

Amend said Bill by striking out all of section 8 thereof, and inserting in place thereof, the following:

Sec. 8. Referendum. This act shall take effect 90 days after the adjournment of the legislature only for the purpose of permitting its submission to the legal voters of the territory embraced within the limits of said district, present and voting at a special meeting called and held for the purpose or at an annual municipal election of the city of Presque Isle. Such special meeting or annual municipal election shall be held not later than the next regular municipal election after the effective date of this act. In the event a special meeting is called for the purpose, it shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the board of registration in said city of Presque Isle shall not be required to prepare for posting, or the city clerk to post, a new list of voters, and for the purpose of registration of voters, said board shall be in session the 3 secular days next preceding such special meeting, the 1st and 2nd days thereof to be devoted to registration of voters, and the 3rd day to enable the board to verify the corrections of such list and to complete and close up their records of said sessions. The city clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following question: "Shall the Act to Incorporate the Presque Isle School District be accepted?" and the voters shall indicate by a cross placed over the words "Yes" or "No" their opinion of the same. This act shall take effect for all the purposes thereof immediately upon its acceptance by a majority vote of the legal voters voting at said meeting. The result shall be declared by the chairman of the city council and due certificate thereof filed with the secretary of state by the clerk of said city.

House Amendment "A" was adopted, and the bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair lays before the House the forty-first tabled and unassigned matter, Sen-

ate Report "Ought to pass in New Draft" (S. P. 478) (L. D. 1336) of the Committee on Education on Bill "An Act to Increase State Aid to Towns for the Support of Schools to Establish Minimum Salaries for Teachers" (S. P. 90) (L. D. 141) (In Senate, passed to be engrossed as amended by Senate Amendment "A"—Filing No. 199) tabled on April 3rd by the gentleman from Farmington, Mr. Mills, pending consideration; and the Chair recognizes that gentleman.

On motion by Mr. Mills, the report and accompanying papers were retabled pending consideration and specially assigned for Thursday, April 10th.

The SPEAKER: The Chair lays before the House the forty-second tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Judiciary, on Bill "An Act Relating to Membership in the Jointly-Contributory Retirement System for Employees of the Sea and Shore Fisheries Department" (H. P. 1297) (L. D. 904) tabled on April 3rd by the gentleman from Rockland, Mr. Sleeper, pending acceptance of the report.

The Chair recognizes the gentleman from Thomaston, Mr. Bell.

On motion by Mr. Bell, the matter was retabled, pending acceptance of report, and specially assigned for Thursday, April 10th.

The SPEAKER: The Chair lays before the House the forty-third tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act Relating to Exemption of Veterans of World War II from Taxation" (H. P. 986) (L. D. 636) tabled on April 3rd by the gentleman from Bangor, Mr. Atherton, pending acceptance of report; and the Chair recognizes that gentleman.

On motion by Mr. Atherton, the report, with accompanying papers, was retabled pending acceptance of report and specially assigned for Friday, April 11th.

The SPEAKER: The Chair lays before the House the forty-fourth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act Providing Exemptions for Veterans of World War II" (H. P. 1522) (L. D. 1143) tabled on April

3rd by the gentleman from Fort Kent, Mr. Cousins, pending acceptance of report; and the Chair recognizes that gentleman.

On motion by Mr. Cousins, the report, with accompanying papers, was retabled pending acceptance of report and specially assigned for Friday, April 11th.

The SPEAKER: The Chair lays before the House the forty-fifth tabled and unassigned matter, Bill "An Act Protecting the Right of Members and Non-members of Labor Organizations to the Opportunity to Work" (H. P. 1652) (L. D. 1346) (In House, read twice) tabled on April 3rd by the gentleman from Unity, Mr. Brown, pending third reading; and the Chair recognizes that gentleman.

On motion by Mr. Brown, the bill was given its third reading, passed to be engrossed and sent up for concurrence.

The SPEAKER: The Chair lays before the House the forty-sixth tabled and unassigned matter, Bill "An Act Relating to the Salary of the Treasurer of State" (S. P. 36) (L. D. 155) tabled on April 4th by the gentleman from Augusta, Mr. Peirce, pending third reading; and the Chair recognizes that gentleman.

On motion by Mr. Peirce, the bill was given its third reading and passed to be engrossed in concurrence.

On motion by Mr. Woodworth of Fairfield, it was voted to take from the table the forty-seventh tabled and unassigned matter, House Majority Report "Ought to pass with Committee Amendment A" and House Minority Report, "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act Authorizing Cities and Towns to Assess a Charge for the Use of Sewers and Sewer Systems." (H. P. 1075) (L. D. 682) tabled on April 7th by that gentleman pending acceptance of either report.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Woodworth.

Mr. WOODWORTH: Mr. Speaker, I now move that the House accept the Majority Report "Ought not to pass," and, as I am the only signer of this report, I will state my reasons.

Under the present law, after a sewer is constructed the law pro-

vides that it shall be constantly maintained and kept in repair by the town. The bill now before the House is an enabling act whereby a city or town may pass a by-law which will assess to the persons owning or served by a sewer a charge for the use of said sewer.

This bill says that it is to be construed as authorizing a charge in addition to all other sewer assessments now lawfully imposed by law.

My first objection to this bill is that it is unfair. For many years towns have maintained sewers, the abutters paid a share of the cost, they paid an entry permit, and after they got the sewer the assessors increased their valuation so that they have been paying for the use of that sewer in increased taxation for many years. There is no reason why an added assessment should now be placed upon them. If they are made the subject of a special assessment they will still pay a tax on their increased valuation. We do not require that people who send children to school shall pay all the expenses of the school. A good sewer system is an asset to a town, and I believe that they should still support and maintain the sewers as in the past.

My second objection to this bill is that this proposed law will be hard to apply. At the present time we have one general assessment, and if we are to have an extra assessment for a sewer that will be more work for the assessors; and it should be noted that a given town may have a dozen sewers dumping into the ocean or a river at a different point, and in such a case this bill would call for a dozen different assessments, and I think most assessors have all they want when they get one.

My third objection to this bill is that in my opinion it is unconstitutional, and I will direct attention particularly to that provision which says: "It is to be construed as authorizing an additional charge in addition to all other sewer assessments."

We therefore have a bill which provides strictly that we may have two assessments on one item of property for one and the same purpose. Now that is double taxation, in my opinion only. But I say emphatically that, in my opinion, when you have a bill which authorizes two separate assessments on one item of property for one and the

same purpose, any law passed which that bill would create would be unconstitutional, for it not only violates the provisions in the State Constitution requiring uniform taxation but it also violates that provision of the Constitution of the United States which guarantees to all persons the equal protection of the law. I shall not dwell further on that point.

My final objection to this bill is that the nature of the bill precludes further consideration. This bill is an enabling act, so called; it is not a general statute. It is an amendment to Section 83 of Chapter 80 of the Revised Statutes, an additional paragraph adding another preparing of a by-law. Now the first sentence in that section is this: "Towns and cities and village corporations may make by-laws or ordinances not inconsistent with law and enforce them," etc.

Now under our general statute, as I have already mentioned, the town must maintain the sewer, that is all the people in the town must pay a tax to maintain that sewer. This bill says that only if a by-law is passed in accordance with it that those people who use the sewer shall pay the expense of maintaining it. In other words, the general law says we all pay it and the by-law would say that only those who use it pay it. A part is substituted for the whole. Now can anybody say that it is consistent with the general law which requires that all shall pay, to relieve a part of them from paying and make the others pay it all? I say it is not. I say that no town or city, if this bill was passed, could enact a by-law that would be worth anything. In other words, if this bill is passed it will be entirely worthless, and, in view of the fact that the legislative policy in regard to maintenance of sewers has been established for many years, I hope the House will sustain my motion and help kill this bill.

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Weeks.

Mr. WEEKS: Mr. Speaker and Members of the House: The last speaker has brought up several points regarding this bill. I am not going to take the time of everyone to consider all of them. There are some few general aspects, however.

This bill, in the first place, is sanctioned by the Maine Municipal

Association, and would apply to all the cities and towns. It is, as he has already stated, enabling legislation. It may be adopted or it may not, as the city fathers in any particular community may see fit. There are one or two points, however. The gentleman spoke about the fact that under ordinances or by-laws a secondary tax for the same service may be imposed. When you reduce that to a few words that merely means that you are going to ask that the ones who receive the service pay for the service, and I doubt if any city or town would go to the trouble of having two separate assessments. It would be a proposition of arriving at what the cost of maintenance of the sewer system amounted to and dividing it proportionately.

The gentleman speaks about the unfairness of it. I dare say I could go into innumerable instances where there is considerable unfairness now. You take a large institution or a large apartment building or other structures, they pay their tax, that is true, but the cost of maintaining your sewer system is a fixed item pretty much, it does not fluctuate a great deal, and that is divided and apportioned out to everybody in the city irrespective of whether they have the service or whether they do not. In that case, of course, although possibly the property served has a higher tax valuation because of that fact, nevertheless there are those who are paying for that sewer service who are not receiving any service at all.

This bill has two points in it. It does enable the city to charge those who are served, about which we have spoken, and it also does this: it separates from the general costs of maintenance of the city, the general running costs of the city, in other words, from a general appropriation viewpoint, an item, if it is \$20,000 in one particular town, that is pulled out of the general appropriation upon which your tax bill is based: and it enables your city to reduce its tax rate because that item of expense is not included and was not raised from the general appropriation, and thereby makes it more attractive to those who might want to come in.

As everyone knows, you are more or less unfavorably or favorably attracted to a location depending upon how high its tax rate is. If you can

assess the cost of maintenance of the sewer to those who are served and take it out of your general appropriation, your tax commitment will be less and your tax rate will be proportionately less, the other items of expense remaining constant.

As far as the constitutionality of the bill is concerned, I regret that I must disagree with my Brother with whom I have been in great concurrence most of the time. I believe it is constitutional and that it should receive your favorable consideration. I therefore hope that the motion of my Brother will not be received favorably.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. McGlaulin.

Mr. McGLAULIN: Mr. Speaker I consider Mr. Woodworth's argument sound. I shall vote with him.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker, I hesitate to discuss this question, but, living in a city where we have a sewerage district and pay a separate sewer tax, it interests me. I can see no particular advantage in adding another tax which requires additional tax bills to go out to the same people for services that are now being rendered. You already have on the books a law which permits assessing the property owners for the original construction costs. This bill would provide that in addition they would pay for this service year by year. It is true that there is some maintenance cost, but it is not a large cost. It is suggested that it would make the tax rate less. That is nothing but something held out to fool the people who will pay it just the same.

Now there is another item that occurs to me. In the average city these sewer systems are used for drainage purposes, that is they take all of the surface water where it drains from the streets, and many of these things do benefit all of the people throughout the entire municipality.

Now the people in areas that are not served by a sewer district have benefits and expenses are involved in serving them that are not involved in the more thickly settled areas. For instance, in the rural area you might have a group of children being transported to school. If we carried this idea of assessing

each individual for the service that is rendered to him to the ultimate conclusion, you would assess the people out in the rural areas for transporting their children to school, which I know none of us want to do. Then the people in the rural areas have the benefit of modern fire departments that they could not have except for the tax on the downtown property. It seems to me it is an idle suggestion to divide this up and add tax upon tax. You might as well pay your taxes all in one bill.

Mr. Speaker, when the vote is taken I would ask for a division.

The SPEAKER: Is the House ready for the question? The question before the House is upon the motion of the gentleman from Fairfield, Mr. Woodworth, that the House accept the Minority "Ought not to pass" report of the committee. The gentleman from Auburn, Mr. Williams, requests a division. All those in favor of the acceptance of the Minority "Ought not to pass" report of the committee will say aye; those opposed no.

A division of the House was had.

Eighty-seven having voted in the affirmative and sixteen in the negative, the motion prevailed and the Minority "Ought not to pass" report of the committee was accepted.

On motion by Mr. Anderson of New Sweden, it was voted to take from the table the forty-eighth tabled and unassigned matter, House Report "Ought to pass" of the Committee on Legal Affairs on Bill "An Act to Provide for Financing the Costs of Building and Equipping Community Schools." (H. P. 1510) (L. D. 1135) tabled on April 7th by that gentleman pending acceptance of report.

Mr. ANDERSON: Mr. Speaker, I now move that this bill, being H. P. 1510, L. D. 1135, be recommitted to the Committee on Legal Affairs because this is a companion bill to the Area School Bill now before the committee and I think they should go along together."

The SPEAKER: The gentleman from New Sweden, Mr. Anderson, moves that the report and bill be recommitted to the Committee on Legal Affairs. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Clerk will read the notices.

On motion by Mr. Burgess of Limestone, Adjournd until ten o'clock tomorrow morning.